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JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Th10b

FAX (619) 767-2384

Agenda #: TH 10b

Application #6-04-140-A1

Kelly Purvis

Position: Opposition to the Project

Kelly G. Purvis

560 C Avenue, Coronado, CA 92118 619-437-0137 jpurvis1@san.fr.com

June 7, 2007

CALIFORNIA COASTAL COMMISSION  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421

Agenda # TH 10b Application No.: 6-04-140-A1

Request to deny the amendment of the above Application  
based on Condition #1 of the Coastal Act

Dear Commissioners,

The City of Coronado has requested the subject amendment citing unforeseen circumstances in the timely completion of the Central Beach Tower Project. The City of Coronado demolished the Central Beach tower in 2003 and we are now in the summer of 2007. It is irresponsible to grant construction hours during the peak season to complete this project as it will impact the access and safety of the residents of Coronado as well as the many visitors to our beach. This project has been highly controversial for Coronado residents. In fact, this project spawned a group of concerned citizens to successfully gather over 2500 signatures which have been validated by the Registrar of Voters to bring to a vote a provision which would mandate a vote by the people to approve any construction on this precious resource.

A week ago the city manager informed the city council and citizens that the contractor will now have to drill holes in the concrete grout of the tower before progress can continue, because it was not adequately re-enforced. This is a discovery that postdates the application of the amendment pushing their timeline another two weeks into the future. This should also be considered before the commission decides on the amendment.

Many violations of the previous permit have been brought to the attention of the Commission. Debris created a dangerous environment for beach visitors and was illustrated, first to the Coronado city manager and subsequently to Mrs. Venegas and others in the enforcement branch. There is still a substantial amount of this debris remaining after the city spread it on the beach. It was buried about 16 inches below the surface sand.

If the debris mountain was backfill material, as asserted by city staff, it should have been covered with geofabric to protect it from wind erosion according to your permit. Wind erosion was the reason the concrete debris and large number of glass shards were uncovered which created a danger to people.

LETTERS OF OPPOSITION

67

Agenda #: TH 10b  
Application #6-04-140-A1  
Ruby Baum  
Position: Opposition to the Project

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JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

June 8, 2007

CALIFORNIA COASTAL COMMISSION  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421

TH 10b Application No.: 6-04-140-A1

Request to deny the amendment of the above Application  
based on Condition #1 of the Coastal Act

Dear Commissioners, Executive Director, Deputy Directors, District Managers and Staff, The City of Coronado has requested subject amendment citing unforeseen circumstances. The circumstances are unforeseen because the engineering department is not able to foresee predictable circumstances and makes commitments and promises that they have no intention of keeping for the sake of convincing the commission of a need to be granted more construction time during the peak season to complete the project.

As recently as a week ago the city manager informed the city council, constituents and interested residents that the contractor will now have to drill holes in the concrete grout of the tower before progress can continue, because it was not adequately re-enforced! This is a discovery that postdates the application of the amendment pushing their timeline another two weeks into the future and this should be considered before the commission decides on the amendment! (Inter-Office Memo June, 1, 2007 Managers weekly update page 3; Engineering & Project Development.)

It is preposterous to allow a city an amendment that has LCP privileges but cannot inspect re-bar in block walls before concrete grouting. The city demonstrates their inability to maintain control of even their own project while they have the power to issue permits and exert some vigilance over contractors of SELECTED (non public) projects.

We have had communications with the Commission and would like to cite a letter by Mr. Lee Mc Eachern, your Commission's District Regulatory Supervisor, a document that should be part of the submittal for the amendment but is also included here.

The items questioned in the letter exemplify the willful disregard of the city to the people who wish to enjoy the beach. In his letter to the Commission dated May 7, 2007 Mr. Benson, who carries a big title, has responded that the concrete for the stairs would be poured within two weeks (by May 21) and the historical significance of the large boulders that could have been replaced without disturbing access. That piece of history played no role when a large portion was removed and some replaced for the Brach Village construction. These flagrant disingenuous statements, proven by the fact that the stair replacement has not even begun as of June 7, 2007, should give the commission some idea of the concern the City of Coronado has toward the Coastal Act, its residents and taxpayers and beach visitors who bring revenues to the city and its merchants.

The contention that visitors have access through the convoluted wheelchair access poses multiple problems. It limits access by wheelchair bound disabled people. Now the wheelchairs have to compete with the heavy traffic of the general public to gain access to the beach.

Many violations of the permit were brought to the attention of the Commission. Mr. Benson, the assistant city manager, had with Mrs. Marsha Venegas, your enforcement officer and also with the undersigned,

68

These conversations were very revealing and have been related to the city as well as the Commission complete with illustrations. We experienced very timid to no action in regard to the violations and have expressed that to the enforcement arm, namely Mrs. Venegas, Mr. Veasart and Ms. Haage.

The debris referred to in letters dated May 1, 2007 from Coastal Commission by Lee McEachern to City of Coronado Jim Benson and dated May 7, 2007, from City of Coronado, Jim Benson to Coastal Commission, Lee McEachern created a dangerous environment for beach visitors and was illustrated, first to the Coronado city manager and subsequently to Mrs. Venegas and others in the enforcement branch. There is still a substantial amount of debris remaining after the city spread it on the beach. It is now buried about 16 inches below the surface sand. Your enforcement people were not able to verify every single part of assertions made by Mr. Benson. Unfortunately the city of Coronado, a certified LCP, shows a pattern of willful disregard for the beach in spite of its many statements to the contrary.

If the debris mountain was backfill material, as claimed by Mr. Benson, it was required to be covered with geofabric to protect it from wind erosion according to your permit. Wind erosion was the exact reason the concrete debris and large number of glass shards were uncovered which created a danger to people. Further more, the material should then be used as backfill and NOT spread over the beach.

The many violations of the permit conditions do not result in any CONSEQUENCES! The city asks you for more time to work on the tower to complete it for beach goers during the summer of 2007. The city has demonstrated that it is incapable of establishing realistic timelines and then abide by them! Their original submittal to you was an estimated construction time of up to 90 DAYS! It sounded unrealistic and it was. UNFORTUNATELY YOU BELIEVED THEM!

Many provisions of the original ADMINISTRATIVE PERMIT (Original Administrative Permit No. 6-01-4/DL, dated February 22, 2001, Page 3 paragraphs 1 - 4 and Special Conditions 1 a. - c.), gave the public many assurances based on the Coastal Act. It prohibited ANY work between Memorial Day and Labor Day based on Special Condition #1 of the Coastal Act. The same document states that the city plans to use a city parking lot near City Hall on Strand Way for trailer storage and construction parking. It states that no more than one street parking space on Ocean Blvd. shall be used for construction purposes. Sadly these protective items were somehow "negotiated" OUT of the final permit.

The city has stored material in public parking spaces and regularly uses several parking spaces on Ocean Blvd. Due to other construction projects in the vicinity, virtually all parking spaces on Ocean Blvd between The Hotel del Coronado and Isabella Avenue are taken up by construction tradesmen.

There is no realistic expectation that the tower and ground floor first aid facility will be operational by the end of August, for the Labor Day weekend, given the continuing pattern of delays. We request that construction is reduced to interior work as currently permitted and heavy construction involving cranes and other large equipment to resume AFTER LABOR DAY.

It is an unfortunate truth that taxpayers are punished by the inconvenience of the delays and the burden of the cost overruns. The costs of any litigation, which seem to be the only path to get a semblance of compliance, are paid by the taxpayers on both sides, then, should any penalties be levied, it would again be on the taxpayers shoulders. It is a lose / lose proposition unless YOU the commissioners put some TEETH into the compliance of the conditions of your permits.

There is no predictable time of completion of any part of the tower before Labor Day! The Commission should deny the continuation of construction during the heavy Summer Season of one of the worlds best beaches and have heavy construction resume after Labor Day. The city should concentrate on re-establishing the Central beach stairs within the next 30 days, which is a month and a half longer that Mr. Benson promised to the commission in his letter!

**Summary:** We urge you to DENY the application for the amendment based on Condition #1 of the Coastal Act and the evidence presented. In addition, you, or the enforcement section of the Commission should order the city of Coronado to focus the construction of the Central Beach Stairs to re-establish the beach

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access that has a history of the heaviest use during the summer months. There has been NO REBUILDING ACTIVITY of the stairs for two months!

I trust you decide to protect the public recreational opportunity Coronado beach offers to so many and act to speedily restore the beach access that was removed without specific permission.

Sincerely,

Signature on File

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JUN 07 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Th10b

Agenda # TH10b-6-2007  
Application # 6-04-140-A1

Jan & Greg Sheffer  
OPPOSITION

Dear Sir:

I am very concerned about  
Central Beach construction  
work during the summer. I  
am requesting that you delay  
work till after Labor Day.

Also, there are no steps at the  
main entrance to Central Beach.  
This is a safety hazard & please  
consider correcting. Thank you

Sincerely,

Signature on File

227B Ave  
Coronado Ca 92118

↑



# Th10b

VIA FACSIMILE 619-767-2384  
U.S.MAIL  
HAND DELIVERED  
June 7, 2007

**RECEIVED**

JUN 08 2007

California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4421

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Re: Th 10b Application No. 6-04-140-A1 (City of Coronado)  
I Request for Commission to DENY the Amendment

Dear Commissioners, Executive Director, Deputy Directors, District Managers,  
and Staff,

I request that the Commission DENY any amendment to the City of Coronado's permit, based on Condition #1 of the Coastal Act.

The City of Coronado has requested an amendment to its permit due to "unforeseen circumstances". Coronado's poor planning and questionable lack of oversight does not constitute an emergency on your part, therefore no waivers, extensions, or amendments should be granted.

When the City contracted with I.E.-Pacific, Inc. to construct the Lifeguard Tower and North Beach restrooms, they should have known of the likelihood that this work would be subcontracted to business owners lacking the skills to properly build this project.

Further, City Engineer and Asst City Manager Jim Benson, Capital Projects Manager William Cecil, and City Manager Mark Ochendusko have attempted to mislead the public about the delays and many mistakes made throughout this project.

Numerous violations of the permit have occurred, some of which were brought to the attention of the Commission by concerned residents. Of major concern was the large broken-down crane owned by R.E.Staite, Inc. which was left sitting on the beach sand for 9 weeks. The Central Beach concrete stairs, which were in perfect condition, were removed without your permission months ago.

(Demolition of these stairs was in the contract with I.E.-Pacific, Inc.) We have heard various dates as to when these important stairs would be replaced, but

72

Memorial Day has come and gone, and the stairs are still missing. This creates a significant safety hazard and severely limits public access to the beach. I have collected many photographs over the past several months which will support my allegations.

The City of Coronado has repeatedly demonstrated its unworthiness to be the steward of one of the most outstanding beaches in the country. The City of Coronado demonstrates daily its disregard for the importance of adhering to the requirements of its Coastal Commission Permit. No construction of any kind should be conducted on the sands of our public beach between Memorial Day and Labor Day. There should be no exceptions.

This terribly mismanaged project motivated more than 2500 local residents to sign a petition seeking an initiative which would require any future beach construction to first be approved by the voters. The expense of placing this on the ballot for November 2008 will be a result of the citizens' general lack of confidence in the wisdom of Coronado's Mayor and City Council, arising from the mishandling of the above Lifeguard Tower and Restroom project.

We are depending upon the California Coastal Commission to support the residents of Coronado in helping us to protect our beach.

Yours truly,

Gerald L. Toci  
901 Balboa Ave.  
Coronado, CA 92118  
619-522-0510 email: [jtoci@san.rr.com](mailto:jtoci@san.rr.com)

73

6/7/2007

# Th10b

Agenda #: TH 10b

Request to deny the amendment of the above Application

June 7, 2007

CALIFORNIA COASTAL COMMISSION  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421

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TH 10b Application No.: 0-04-140-A1

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Request to deny the amendment of the above Application  
based on Condition #1 of the Coastal Act

Dear Commissioners, Executive Director, Deputy Directors, District Managers and Staff, The City of Coronado has requested subject amendment citing unforeseen circumstances. Unfortunately the circumstances are unforeseen because the engineering department is not able to foresee very predictable circumstances and makes commitments and promises that they have no intention to keep for the sake of convincing the commission of a need to be granted more construction time during the peak season to complete the project.

As recently as a week ago the city manager informed the city council, constituents and interested residents that the contractor will now have to drill holes in the concrete grout of the tower before progress can continue, because it was not adequately re-enforced! This is a discovery that postdates the application of the amendment pushing their timeline another two weeks into the future and this should be considered before the commission decides on the amendment! (Attachment a.)

It is preposterous to allow a city an amendment that has LCP privileges but cannot inspect re-bar in block walls before concrete grouting. The city demonstrates their inability to maintain control of even their own project while they have the power to issue permits and exert some vigilance over contractors of SELECTED (non public) projects.

We have had communications with the Commission and would like to cite a letter by Mr. Lee Mc Eachern, your Commission's District Regulatory Supervisor, a document that should be part of the submittal for the amendment but is also included here. (Attachment b.).

The items questioned in the letter exemplify the willful disregard of the city to the people who wish to enjoy the beach. In his letter to the Commission dated May 7, 2007 (Attachment c.) Mr. Benson, who carries a big title, has responded that the concrete for the stairs would be poured within two weeks (by May 21) and the historical significance of the large boulders that could have been replaced without disturbing access. That piece of history played no role when a large portion was removed and some replaced for the Brach Village construction. These flagrant disingenuous statements, proven by the fact that the stair replacement has not even begun as of June 6, 2007, should give the commission some idea of the concern the City of Coronado has toward the Coastal Act, its residents and taxpayers and beach visitors who bring revenues to the city and its merchants.

A



The contention that visitors have access through the convoluted wheelchair access poses multiple problems. It limits access by wheelchair bound disabled people and makes family access through this path very congested and difficult for the many carts and wagons families use to bring their needed supplies to the beach. Now the wheelchairs have to compete with the heavy traffic of the general public to gain access to the beach.

Many violations of the permit were brought to the attention of the Commission. Mr. Benson, the assistant city manager, had with Mrs. Marsha Venegas, your enforcement officer and also with the undersigned. These conversations were very revealing and have been related to the city as well as the Commission complete with illustrations. (Attachment d.) We sadly experienced very timid to no action in regard to the violations and have expressed that to the enforcement arm, namely Mrs. Venegas, Mr. Veesart and Ms. Haage.

The debris referred to in both letters created a dangerous environment for beach visitors and was illustrated, first to the Coronado city manager and subsequently to Mrs. Venegas and others in the enforcement branch. There is still a substantial amount of this debris remaining after the city spread it on the beach. It is now buried about 16 inches below the surface sand. Your enforcement people were not able to verify every single part of assertions made by Mr. Benson. Unfortunately the city of Coronado, a certified LCP, shows a pattern of willful disregard for the beach in spite of its many statements to the contrary.

If the debris mountain was backfill material, as claimed by Mr. Benson (Attachment c.), it was required to be covered with geofabric to protect it from wind erosion according to your permit. Wind erosion was the exact reason the concrete debris and large number of glass shards were uncovered which created a danger to people. Further more, the material should then be used as backfill and NOT spread over the beach.

The many violations of the permit conditions do not result in any CONSEQUENCES! The city asks you for more time to work on the tower to complete it for beach goers during the summer of 2007. The city has demonstrated that it is incapable of establishing realistic timelines and then abide by them! Their original submittal to you was an estimated construction time of up to 90 DAYS! It sounded unrealistic and it was. UNFORTUNATELY YOU BELIEVED THEM! You know about the fool me once .....? We get it time over time over time, a sad observance of facts.

Many provisions of the original ADMINISTRATIVE PERMIT (Attachment e.), gave the public many assurances based on the Coastal Act. It prohibited ANY work between Memorial Day and Labor Day based on Special Condition #1 of the Coastal Act. The same document states that the city plans to use a city parking lot near City Hall on Strand Way for trailer storage and construction parking. It states that no more than one street parking space on Ocean Blvd. shall be used for construction purposes. Sadly these protective items were somehow "negotiated" OUT of the final permit.

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Summary: We urge you to DENY the application for the amendment based on Condition #1 of the Coastal Act and the evidence presented. In addition you, or the enforcement section of the Commission should order the city of Coronado to focus the construction of the Central Beach Stairs to re-establish the beach access that has a history of the heaviest use during the Summer months. There has been NO REBUILDING ACTIVITY of the stairs for two months!

I trust you decide to protect the publics recreational opportunity Coronado beach offers to so many and acts to speedily restore the beach access that was removed without specific permission.

Sincerely,

Kim Warriner

1522 First St M210

Signature on File

76

**Th10b** RECEIVED

JUN 08 2007

June 7, 2007

CALIFORNIA COASTAL COMMISSION  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Agenda # TH10b  
Application #6-04-140-1  
Milfred Dahill  
Position: Opposition to  
Project

TH 10b Application No.: 6-04-140-A1

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based on Condition #1 of the Coastal Act

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Summary: We urge you to DENY the application for the amendment based on Condition #1 of the Coastal Act and the evidence presented. In addition you, or the enforcement section of the Commission should order the city of Coronado to focus the construction of the Central Beach Stairs to re-establish the beach access that has a history of the heaviest use during the Summer months. There has been NO REBUILDING ACTIVITY of the stairs for two months!

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Sincerely,

Signature on File

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Avenue  
12118

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JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

**Th10b**

Agenda Item: TH10b-6-2007  
Permit Number: 6-04-140-A1  
Ann Glick Mitchell  
Opposition to the project

June 3, 2007

Re: Beach Project at Central Beach, Coronado

Dear Commissioners:

I am seriously concerned about the situation at Central Beach in Coronado. Whatever the reason the lifeguard tower is not finished because of procrastination or confusion with the other project that seems to be in limbo, the building must be stopped for the summer season. The beach must be cleared of building materials and stored machinery for the safety of the beach users.

The Coronado Beach at Central must be safe and uncluttered as thousands of people come for its beauty and enjoyment.

After the summer season the lifeguard can be finished. The roof is on and it is not an eyesore.

We must keep the beach serene, as this is our prime attraction for the city. We must not jeopardize our standing as a prize beach.

Please, protect our beach, and keep it as a most desirable beach for visitors as well as citizens of this wonderful little village.

Respectfully yours,

Signature on File



A.  
421 Ocean Blvd.  
Coronado, CA 92118  
Annventure@aol.com  
619-435-8817

77



**Th10b** HAND DELIVERED 6-8-07

VIA FACSIMILE 619-767-2384  
U.S.MAIL  
HAND DELIVERED  
June 7, 2007

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JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4421

Re: Th 10b Application No. 6-04-140-A1 (City of Coronado)  
I Request for Commission to DENY the Amendment

Dear Commissioners, Executive Director, Deputy Directors, District Managers,  
and Staff,

I request that the Commission DENY any amendment to the City of Coronado's permit, based on Condition #1 of the Coastal Act.

The City of Coronado has requested an amendment to its permit due to "unforeseen circumstances". Coronado's poor planning and questionable lack of oversight does not constitute an emergency on your part, therefore no waivers, extensions, or amendments should be granted.

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Further, City Engineer and Asst City Manager Jim Benson, Capital Projects Manager William Cecil, and City Manager Mark Ochendusko have attempted to mislead the public about the delays and many mistakes made throughout this project.

Numerous violations of the permit have occurred, some of which were brought to the attention of the Commission by concerned residents. Of major concern was the large broken-down crane owned by R.E.Staite, Inc. which was left sitting on the beach sand for 9 weeks. The Central Beach concrete stairs, which were in perfect condition, were removed without your permission months ago.

(Demolition of these stairs was in the contract with I.E.-Pacific, Inc.) We have heard various dates as to when these important stairs would be replaced, but

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Memorial Day has come and gone, and the stairs are still missing. This creates a significant safety hazard and severely limits public access to the beach. I have collected many photographs over the past several months which will support my allegations.

The City of Coronado has repeatedly demonstrated its unworthiness to be the steward of one of the most outstanding beaches in the country. The City of Coronado demonstrates daily its disregard for the importance of adhering to the requirements of its Coastal Commission Permit. No construction of any kind should be conducted on the sands of our public beach between Memorial Day and Labor Day. There should be no exceptions.

This terribly mismanaged project motivated more than 2500 local residents to sign a petition seeking an initiative which would require any future beach construction to first be approved by the voters. The expense of placing this on the ballot for November 2008 will be a result of the citizens' general lack of confidence in the wisdom of Coronado's Mayor and City Council, arising from the mishandling of the above Lifeguard Tower and Restroom project.

We are depending upon the California Coastal Commission to support the residents of Coronado in helping us to protect our beach.

Yours truly,

Signature on File

Coronado, CA 92118

619-522-0510 email: [jtc@san.rr.com](mailto:jtc@san.rr.com)

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JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

June 7, 2007

CALIFORNIA COASTAL COMMISSION  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421

Page 1 Of 3

**TH 10b**

Application No.: 6-04-140-A1

**Request to deny the amendment of the above Application based on Condition #1 of the Coastal Act**

Dear Commissioners, Executive Director, Deputy Directors, District Managers and Staff,

The City of Coronado has requested subject amendment citing unforeseen circumstances. Unfortunately the circumstances are unforeseen because the engineering department is not able to foresee very predictable circumstances and makes commitments and promises that they have no intention to keep for the sake of convincing the commission of a need to be granted more construction time during the peak season to complete the project. To them this amendment is merely a nuisance because they have been doing and plan to do what they please without regard to your decisions!

As recently as a week ago the city manager informed the city council, constituents and interested residents that the contractor will now have to drill holes in the concrete grout of the tower before progress can continue, because it was not adequately re-enforced! This is a discovery that postdates the application of the amendment and pushes their timeline out for another two weeks into the future, just another "detail" to consider before the commission decides on the amendment! (Attachment a.)

It is preposterous to allow a city an amendment that has LCP privileges but cannot inspect re-bar in block walls before concrete grouting on a project they consider to be important. The city demonstrates their inability to maintain control of this high priority, project while they have the power to issue permits and exert their vigilance over contractors of SELECTED (non public) projects.

We have had communications with the Commission and would like to cite a letter by Mr. Lee Mc Eachern, your Commission's District Regulatory Supervisor, a document that should be part of the submittal for the amendment but is also included here. (Attachment b.)

The items questioned in the letter exemplify the willful disregard of the city to the people who wish to enjoy the beach. In his letter to the Commission dated May 7, 2007 (Attachment c.) Mr. Benson, who carries a big title, has responded that the concrete for the stairs would be poured within two weeks (by May 21) and the historical significance of the large boulders that could have been replaced without disturbing access. That piece of history played no role when a large portion was removed and some replaced for the Coronado Beach Village construction. These flagrant disingenuous statements, proven by the fact that the stair replacement has not even **begun** as of June 6, 2007, should give the commission some idea of the concern the City of Coronado has toward the Coastal Act, its residents and taxpayers and beach visitors who bring revenues to the city and its merchants.

The contention that visitors have access through the convoluted wheelchair access poses multiple problems. It limits access by wheelchair bound disabled people and makes family access through this path very congested and difficult for the many carts and wagons families use to bring their needed supplies to the beach. Now the wheelchairs have to compete with the heavy traffic of the general public to gain access to the beach.

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Many violations of the permit were brought to the attention of the Commission. Mr. Benson, the assistant city manager, had conversations with Mrs. Marsha Venegas, your enforcement officer and also with the undersigned. These conversations were very revealing and have been related to the city as well as the Commission complete with illustrations. **(Attachment d.) Please take the time and follow the Coronado City officials as they explain these violations in their own words! It is the most revealing piece of evidence I have to offer. PLEASE READ IT and look at the pictures.** Take note that this was back on **APRIL 11<sup>th</sup>, 2007!!**

The debris referred to in both letters created a dangerous environment for beach visitors and was illustrated, first to the Coronado city manager and subsequently to Mrs. Venegas and others in the enforcement branch. There is still a substantial amount of this debris remaining after the city spread it on the beach. It is now buried about 16 inches below the surface sand. Your enforcement people were not able to verify every single part of assertions made by Mr. Benson. Unfortunately the city of Coronado, a certified LCP, shows a pattern of willful disregard for the beach in spite of its many statements to the contrary and told me that they rely on.

If the debris mountain was in fact backfill material, as claimed by Mr. Benson (Attachment c.), it was required to be covered with geofabric to protect it from wind erosion according to your permit. Wind erosion was the exact reason the concrete debris and large number of glass shards were uncovered which created the severe danger to people, particularly the children playing on it. Also, the material should then be used as backfill and NOT spread over the beach as they did!

The many violations of the permit conditions do not result in any CONSEQUENCES for the city! They ask you for more time to work on the tower to complete it for beach goers during the summer of 2007. The city has demonstrated that it is incapable of establishing realistic timelines and then abide by them! Their original submittal to you was an estimated construction time of up to 90 DAYS! It sounded unrealistic then and it was. UNFORTUNATELY WE BELIEVED THEM! You know about the fool me once .....?! We get it time after time after time, a sad observance of facts. Truth is elusive!

Many provisions of the original ADMINISTRATIVE PERMIT (Attachment e.), gave the public many assurances based on the Coastal Act. It **prohibited ANY work between Memorial Day and Labor Day** based on Special Condition #1 of the Coastal Act. The same document states that the city plans to use a city parking lot near City Hall on Strand Way for trailer storage and construction parking. It states that no more than one street parking space on Ocean Blvd. shall be used for construction purposes. Sadly these protective items were somehow "negotiated" OUT of the final permit and lost to the people.

The city has stored material in public parking spaces and regularly uses many parking spaces on Ocean Blvd. Due to other construction projects in the vicinity, virtually all parking spaces on Ocean Blvd between The Hotel del Coronado and Isabella Avenue are taken up by construction tradesmen by 8AM, well before beach visitors arrive and can't find a place to park to enjoy the beach.

There is no realistic expectation that the tower and the first aid facility on the ground floor will be operational by the end of August, for the Labor Day weekend, given the continuing pattern of delays. We request that construction is reduced to interior work as currently permitted and heavy construction involving cranes and other large equipment be halted, to resume AFTER LABOR DAY.

It is an unfortunate truth that taxpayers are punished by the inconvenience of the delays and the burden of the cost overruns. The costs of any litigation, which seem to be the only path to get a semblance of compliance, are paid by the taxpayers on both sides, then, should any penalties be levied, it would again be on the taxpayers shoulders. It is a lose / lose proposition unless YOU the commissioners put some TEETH into the compliance of the conditions of your permits.

There is no predictable time of completion of any part of the tower before Labor Day! The Commission should deny the continuation of construction during the heavy Summer Season of one of the worlds best beaches and have heavy

construction resume after Labor day. The city should concentrate on re-establishing the Central Beach stairs within the next 30 days, which is well over a month and a half longer than Mr. Benson promised to the commission in his letter! Read half the time they estimated for the WHOLE PROJECT!

Summary: **We urge you to DENY the application for the amendment based on Condition #1 of the Coastal Act** and the evidence presented. In addition you, or the enforcement section of the Commission should order the city of Coronado to focus the construction on the Central Beach Stairs to re-establish the beach access that has a history of the heaviest use during the Summer months. There has been NO REBUILDING ACTIVITY of the stairs for two months!

I trust you decide to protect the publics recreational opportunity that Coronado beach offers to so many and act to stop heavy construction and speedily restore the beach access that was removed without specific permission.

Respectfully,



Signature on File



Heinz Steiner

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INTER-OFFICE  
MEMORANDUM

RECEIVED

JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

DATE: June 1, 2007  
TO: Honorable Mayor and City Councilmembers  
FROM: Mark Ochendusko, City Manager  
RE: Weekly Update

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The following is provided as an update regarding programs, services, and issues within the City. (Please note: *For those receiving electronic copies of the Weekly Update, the attachments referred to below are available in the City Manager's Office*).

**CITY MANAGER'S OFFICE**

**PAWS Donation for Animal Care Facility:** This week a representative from PAWS advised me that the PAWS Board has determined not to contribute to the bricks and mortar portion of the Animal Care Facility. PAWS is interested in providing equipment for the facility that may not be funded by the City.

**Tennis Pro Contract/Services:** At the request of the Coronado Tennis Pro, a mediation session is being scheduled in early June to include the Tennis Pro, selected representatives from the City management staff, and representatives of the Coronado Tennis Association. The purpose is to review the conditions of managing and teaching tennis in Coronado and to discuss whether there is an alternative that may be more acceptable to all who have an interest in this recreational service.

**SR 75/282 Project:** Mayor Smisek and I met with SANDAG Executive Director Gary Gallegos on Tuesday, May 29 to brief him on City of Coronado/Navy discussions regarding the SR 75/282 project and the homeporting of a third carrier. Councilmember Ovrom and I will meet later this month with Navy Region Southwest Chief of Staff Mike Allen to discuss possible mitigation measures to traffic in the corridor. As previously discussed, the meetings will focus on two tracks: short-term and long-term mitigation opportunities. Mr. Gallegos has asked me to brief the SANDAG Transportation Committee on this matter after the initial meeting with the Navy.

**Inquiries Regarding Strand Way Sea Wall:** This past week, staff has received two inquiries from the public regarding the elevation and purpose of the sea wall recently constructed along Strand Way in Glorietta Bay cove. As you know, this wall is actually a seal wall that will be

### **ENGINEERING & PROJECT DEVELOPMENT**

**Lifeguard Tower and North Beach Restroom:** The apron to the new Restroom has been completed but will remain closed until the concrete reaches its designed strength in about two weeks. Work will start on the interior finishes, including the toilet fixtures. The contractor missed several vertical reinforcing bars at the Tower and has to now drill in new bars. This has delayed new masonry installation approximately two weeks.

**Yacht Club Promenade (YCP):** Strand Way has reopened one way southbound. Staff is reviewing the final plans for coordination and constructability issues. There have been a fair number of changes resulting from the Revetment project which need to be coordinated.

**Glorietta Bay Marina Building:** Staff completed its review of the plans and returned them to the architect with a number of coordination issues to be corrected. Staff is also working with the Public Art Subcommittee to modify the plans to reflect recent changes to the artwork proposed for this building.

**Lifeguard Service Building:** Initial plan check corrections were received and have been returned to the architect. The architect is to make the corrections and resubmit them next week.

**Animal Care Facility:** The public hearing on the draft resolution to adopt the Negative Declaration of Environmental Impact and a request to use a prequalification process to select bidders for the construction of the facility will be heard by the City Council next Tuesday.

**Transbay Wet Well Emergency:** A final walk-through inspection is scheduled for June 1. The sound wall fencing surrounding the Transbay station was removed and a temporary chain link fence installed. Public Services personnel will be working to install irrigation and landscaping improvements over the next several weeks. A staff report recommending filing a Notice of Completion will be presented to the City Council on June 19.

**Margarita Avenue Utilities Undergrounding Survey and Sewer Replacement and Street Resurfacing Project:** There has been good response from the residents with the following results to date:

#### **Survey for Undergrounding of Utilities**

Number of surveys sent: 265

Number of Surveys Returned: 119 (45%)

**Question 1:** Are you in favor of removing the overhead wires and placing them underground?

Responses in Favor		Responses Against	
80	67%	39	33%

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**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4421

(619) 767-2370

**RECEIVED**

May 1, 2007

JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

City of Coronado  
Jim Benson  
Director of Engineering and Project Development  
1825 Strand Way  
Coronado, CA 92118

Dear Mr. Benson:

On July 15, 2006, Coastal Development Permit (CDP) No. 6-04-140 was approved for development consisting of: 1) demolition of an existing 30-foot high, 534 sq. ft. lifeguard tower; 2) construction of a new 35-foot high, 1,050 sq. ft. lifeguard tower/station in the same location on Central Beach; and 3) construction of a new 790 sq. ft. restroom facility on the sandy beach at North Beach in the City of Coronado.

Recently, members of the public have expressed concerns regarding the City's implementation of the development approved under the City's CDP. Our San Diego District enforcement officer, Marsha Venegas, informed me of your recent conversations regarding the following public concerns: 1) removal of public access beach stairs; 2) mechanical equipment on the beach; 3) removal of the construction debris; and 4) possible changes to the approved development. San Diego Commission staff is particularly concerned with the City's failure to remove the construction debris from the beach as required by the permit. For this reason, we have agreed to review updated development information in order to determine if any further action will be necessary to resolve any potential violations.

After reviewing the permit file, we have confirmed your assertion that CDP No. 6-04-140 authorizes overnight storage of mechanical equipment on the beach. However, the condition also states that no mechanical equipment can be stored on the beach during the summer season (Memorial Day weekend through Labor Day of any year). Based on your April 27, 2007 letter, it is our understanding that your construction schedule has been delayed for various reasons and as such, work will need to continue into the summer season. If any development that requires the storage of equipment or materials on the public beach will need to take place during the summer season, an amendment to CDP No. 6-04-140 may be necessary. Please submit an updated construction schedule. The updated schedule should address the following:

- The need for any mechanical equipment or materials to be stored on the beach during the summer season;
- alternatives for providing first aid to the public in the event the lifeguard tower is not available;

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Jim Benson  
May 1, 2007  
Page 2

➤ updated construction staging areas.

In addition, it appears that removal of the public access stairs was not authorized as part of the approved development. Therefore, the removal of the public access stairs may be considered unpermitted development and may require an amendment to your CDP. Please submit specific information such as, the reason for removal, when the removal took place, the expected date for replacement of the stairs, and construction drawings for the proposed replacement.

Furthermore, it has come our attention that the pilings used for the construction of the lifeguard tower have been revised and are now different from the ones approved on the final plans. According to your conversation with Ms. Venegas, the footprint of the development has also been revised.

In order to resolve these issues, please submit updated final plans with *any and all* changes to the approved development noted and highlighted. Please include the removal of the stairs, the new pilings, and any potential changes to the building footprint. Once Commission staff has evaluated all of the requested information, we will determine if an amendment to your permit and/or enforcement action will be necessary.

Finally, as you may be aware, storage of construction debris on the beach is not in compliance with Special Condition No. 2 of your permit and requires that all construction debris be removed from the beach within 72 hours of its deposition. According to your permit, debris is not authorized to be stored on the beach for any extended period of time.

On Monday, April 16, 2007, Ms. Venegas visited the site and noted that the debris on the beach appeared to have been removed. However, it is now our understanding that the debris was not removed in its entirety from the beach as required by your permit. A member of your city staff informed Ms. Venegas that the debris had been raked and spread into the sand in the surrounding beach area. Once the debris had been raked into the sand, a piece of mechanical equipment was then used to sift the sand of the debris. We are concerned about the potential hazards for beachgoers with this approach for debris removal since the equipment used to sift the sand has a limited depth of operation and may not have removed all of the debris. Per your permit, all debris needs to be transported off the beach in its entirety. Based on our understanding of the City's actions, it is not clear that all of the debris has been removed from the beach, as required, and we remain concerned that any remaining debris may pose a hazard to the public. Therefore, please provide documentation to our office that all the debris has been removed and no longer poses a threat to the public.

Commission staff is looking forward to cooperating with the City of Coronado and its staff to resolve the above issues. We hope you understand that these issues need to be addressed as expeditiously as possible. Therefore, all of the requested information should be submitted to the San Diego District office by no later than May 7, 2007.

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Jim Benson  
May 1, 2007  
Page 3

Thank you for your attention to this matter. If you have any questions regarding this letter or the pending enforcement case, please feel free to contact me.

Sincerely, 

Signature on File

cc: Deborah Lee, District Manager  
Patrick Veesart, Southern California Enforcement Supervisor  
Marsha Venegas, San Diego District Enforcement Officer



ATTACHMENT C.)

RECEIVED

JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT



## CITY OF CORONADO

1825 STRAND WAY  
CORONADO, CA 92118

May 7, 2007

OFFICE OF THE CITY MANAGER  
(619) 522-7335  
FAX (619) 522-7846

Mr. Lee McEachern, District Regulatory Supervisor  
California Coastal Commission  
7575 Metropolitan Way  
San Diego, California 92108

Reference: Coronado Beach Public Safety Service Building Project  
Application No. 6-04 140 Tower and Restroom

Dear Mr. McEachern:

Thank you for your letter of May 1, 2007 questioning the construction conditions on Coronado Beach. This letter provides a response, as per your request.

The issues raised in your letter and the responses you have requested are as follows:

1. Removal of Public Access Beach Stairs The removal of the public access beach stairs was described in the plans submitted to Coastal Commission staff for final director's review and approval prior to the issuance of the development permit. The replacement can be found on sheets C 1.1 and C 1.2. The stairs were removed for two reasons. First, the stairs were approximately 50 years old, had deteriorated and would soon require replacement. This project provided the impetus for their removal. Second, new utilities were required for the new tower. These included a new sewer line, power, data, telephone and fire stand pipe. The most direct line for the points of connection was under the stairs. The stairs are bounded on both sides by large boulders that were installed after the flood of 1905 and to some in the community, removal of those rocks would be disturbing a historic structure. Finally, using the area under the stairs to route the utilities did not significantly impact beach access as the public would continue to have beach access from the existing accessible ramp just 50 feet to the east and a second set of stairs another 100 feet further east. Therefore, the combination of installing utility connections, the deteriorated condition of the existing stairs, preserving the existing riprap and having alternative beach access within close proximity made the removal of the stairs to replace utilities a logical decision.

The City regrets that the stairs have not been restored per the contractor's original schedule. Unfortunately, after previously granting approval, SDG&E changed its position regarding necessary electric utility requirements which required redesign.

Mr. Lee McEachern  
May 7, 2007  
Page 2

resubmission of shop drawings, and constructing a different switchgear. This mid-construction change delayed the reinstallation of the stairs. The City now has clear approval on necessary conduit for the electrical utilities and the contractor is scheduled to form the stairs and pour concrete within the next two weeks. A schedule is provided (Attachment 1).

2. Mechanical Equipment on the Beach - The City's letter of April 27, 2007, to Coastal Commission staff requested a waiver or amendment to the City's permit to allow mechanical equipment on the beach to enable completion of the tower after Memorial Day. There will be at least two construction tasks which will require mechanical equipment after that date. First is the construction of the third floor of the tower. This is a concrete floor with some masonry and steel framing for the walls. Due to the inability to drive concrete trucks across the beach, pumping trucks will be staged on Ocean Boulevard and a hose routed to the tower. Second, a crane may have to be driven across the beach to allow lifting of the steel framing and roof materials. This crane will be positioned inside the construction enclosure and, therefore, will not pose any danger once inside the construction area. To assist in the delivery of the equipment to the site, the City's Lifeguard Service has developed rules for safe driving on the beach, which will be provided to the contractor (Attachment 2).

3. Alternative for Providing First Aid - An alternative for providing first aid to the public, if the tower is not ready as scheduled, has already been implemented. The former lifeguard tower was condemned in 2002 and the Lifeguard Service has used a portable tower mounted on a manmade berm some 75 feet in front of the new tower site since that time. Public safety services and first aid will continue to be provided from the portable tower until the new tower is functional as has been done since 2002. Public safety and first aid service to the public will be substantially improved upon the opening of the new tower.

4. Construction Staging Areas Will Be as Follows - The North Beach restroom site will be open to the public in early June. The only construction items anticipated in that location will be the contractor's trailer and storage container. At the tower, the existing construction fencing will remain in place until the exterior scaffolding is removed and the building is able to be secured. Once the building can be secured, if construction is continuing on the interior, the fence will be removed.

5. Removal of Construction Debris within 72 Hours - The contractor has, in fact, complied with the removal of construction debris created by their own work.

The material referred to in your letter is a pile of beach sand that was excavated from under the old tower after it was demolished so that the piling could be constructed for the new tower foundation. The sand pile, which was to be reused in and around the piles and foundation for the new tower (as required by the permit), contained some remnant

Mr. Lee McEachern  
May 7, 2007  
Page 3

materials used in an attempt to shore up the foundation of the old tower when it was undermined and nearly collapsed during the significant tides during the El Niño years of 1982-83. During that storm event, saving the tower was paramount and volunteers manning the lines used anything at their disposal to throw into the breach to try to save the tower. This included sandbags and chunks of broken concrete which came from the sidewalk which had previously surrounded the tower and had undermined and fallen into the hole. The contractor has never disposed of construction material on the beach.

The Coastal Development Permit requires that the contractor not remove any sand from the beach but spread it where needed. The stockpiled material was beach sand. Any debris in the sand was to be removed as the sand was reused as backfill at the base of the new tower. After the City received complaints, City Public Services workers spread out the sand pile and, by hand, removed the debris mixed in with the sand. The stockpiled sand was actually spread over a shallow depth and hand sifted to remove any foreign materials. The foreign materials were removed and disposed of properly offsite. The City's Sand Sanitizer was then used to go over the sand and further sift it and remove even smaller materials. The City is confident that the sand is clean of debris and it is beneficial to the beach. It is fortunate that the City was able to retain the sand on the beach rather than remove it to a disposal site (which would violate the terms of the Coastal Development Permit).

6. Possible Changes to the Approved Development – Only minor changes have occurred in this project from the approved set of plans. They include a redesign of the sheet pile configuration, addition of more communication and security equipment which will be internal to the building, and replacement of damaged concrete sidewalk at the restroom.

Regarding the sheet pile foundation, the concept for the pile foundation as designed was used; however, its footprint was changed. In order to install the foundation it was found that pile components could not be acquired that provided the octagonal footprint as designed. Instead, the footprint was simplified to a rectangle rather than multiple octagons. However, these pilings are three feet below the existing sand and do not appear above the surface. City staff had advised Coastal Commission staff of this change in a December, 2006 telephone conversation prior to the pile installation. Coastal staff did not object. The pile does not encroach farther toward the water than the previous design per the permit. The actual building footprint remains exactly as per the permit and has not changed.

The City appreciates the opportunity to respond to your inquiries and shares the Coastal Commission's concern and sense of stewardship for the coast. We appreciate the partnership we have had with Coastal staff, and the active role Coastal staff has taken in working with City staff to resolve issues associated with the construction of these public safety facilities. It is acknowledged that construction projects (particularly those along

Mr. Lee McEachern

May 7, 2007

Page 4

the coast) cause an inconvenience, but we are committed to the completion of this project and the improved experience the public will have when they visit the Coronado beach once this project is completed.

If you need more information or have further questions, please feel free to contact me at (619) 522-7383.

Sincerely,

**Signature on File**

Attachments:

Schedule

Construction Vehicle Safety Guidelines

cc: City Council (w/ May 1, 2007 Coastal Commission Staff Letter)  
Mark Ochendusko, City Manager  
William H. Cecil, Capital Projects Manager ✓  
Gary Orsi, Munro & Orsi Architects



Activity ID	Activity Description	Orig Dur	% Comp	Activity Start	Activity Finish	Budgeted Cost	Cost this Period	Cost to Complete	Total Float
1500	Project Hammock (Work Days)	183	74	02OCT06A	10JUL07	0.00	0.00	0.00	-31
0010	Contract Award	0	100	16SEP06A		0.00	0.00	0.00	
0020	Notice to Proceed Issued / Submit Bond	1	100	02OCT06A	02OCT06A	25,488.00	0.00	0.00	
0030	Pre-construction Conference	1	100	02OCT06A	02OCT06A	0.00	0.00	0.00	
1000	Project Closeout / Training	3	0	06JUL07	10JUL07	1,500.00	0.00	1,500.00	-31
2000	Contract Complete	0	0		10JUL07	0.00	0.00	0.00	-47
<b>Lifeguard Tower &amp; Restroom, Coronado</b>									
0040	Mobilization / Site Prep	7	100	20NOV06A	22NOV06A	12,500.00	0.00	12,500.00	
0070	Hazmat Abatement	10	100	27NOV06A	28NOV06A	25,000.00	0.00	0.00	
0060	Clear & Grub Site	3	100	29NOV06A	30NOV06A	30,000.00	0.00	0.00	
0060	Site Demolition	5	100	01DEC06A	11DEC06A	10,000.00	0.00	0.00	
0060	Tower Demolition	10	100	01DEC06A	08DEC06A	85,000.00	0.00	0.00	
0060	Mass Excavation	10	100	20DEC06A	21DEC06A	65,000.00	0.00	0.00	
105	Install Water Underground Utilities	25	100	08JAN07A	19APR07A	225,000.00	45,000.00	0.00	
0150	Install Sheet Piles	20	100	14FEB07A	08MAR07A	385,000.00	0.00	0.00	
0180	Install Structural Steel	7	20	28FEB07A	21MAY07	126,000.00	0.00	100,000.00	-31
0350	Install Exterior Guardrails	8	55	28FEB07A	08JUN07	15,000.00	0.00	6,750.00	-10
0170	Install Mat Foundation	3	100	13MAR07A	28MAR07A	75,000.00	37,500.00	0.00	
0100	Install Electrical Underground Utilities	25	60	16MAR07A	11MAY07	200,000.00	50,000.00	80,000.00	-22
0120	Install Duplex Pump Station	10	100	16MAR07A	20MAR07A	35,000.00	0.00	0.00	
0160	Install Mat Foundation Rebar	2	100	20MAR07A	23MAR07A	10,000.00	0.00	0.00	
0190	Install Masonry	25	60	18APR07A	11MAY07	75,000.00	45,000.00	30,000.00	-31
0130	Install Site Concrete / Walkways / Stairs	10	0	14MAY07	25MAY07	45,000.00	0.00	45,000.00	-8
0316	Install Windows	6	0	12MAY07	18MAY07	60,000.00	0.00	60,000.00	-23
0360	Apply Grout Coating	5	0	14MAY07	18MAY07	20,000.00	0.00	20,000.00	-1
0200	Install Metal Decking - 2nd Floor	3	0	22MAY07	24MAY07	25,000.00	0.00	25,000.00	-31
0270	Install Interior Framing	7	0	22MAY07	31MAY07	7,500.00	0.00	7,500.00	-31
0285	Electrical Rough-in	7	60	16APR07A	27MAY07	25,000.00	15,000.00	10,000.00	-36
0295	Plumbing Rough-in	7	20	23APR07A	30MAY07	25,000.00	5,500.00	20,000.00	-38
0280	Mechanical Rough-in	7	0	25MAY07	05JUN07	25,000.00	0.00	25,000.00	-31
0210	Pour Second Floor Slab	3	0	25MAY07	30MAY07	15,000.00	0.00	15,000.00	-29
0230	Install Metal Decking - 3rd Floor	3	0	31MAY07	04JUN07	15,000.00	0.00	15,000.00	-29
0405	Install Electrical Finishes	10	0	28MAY07	06JUN07	25,000.00	0.00	25,000.00	-20
0240	Pour Third Floor Slab	3	0	06JUN07	07JUN07	15,000.00	0.00	15,000.00	-29
0290	Install Insulation	1	0	06JUN07	08JUN07	5,000.00	0.00	5,000.00	-31
0400	Install Mechanical Finishes	10	0	06JUN07	19JUN07	10,000.00	0.00	10,000.00	-22
0300	Install Sheet Rock	7	0	07JUN07	15JUN07	10,000.00	0.00	10,000.00	-31
0250	Install Roof Deck	5	0	08JUN07	14JUN07	15,000.00	0.00	15,000.00	-29
<b>Lifeguard Tower &amp; Restroom, Coronado</b>									
Set-up									

Start Date: 28AUG06  
 Finish Date: 10JUL07  
 Data Date: 20AUG07  
 Run Date: 04MAY07 14:30

Sheet 1 of 1

E-Pac, Inc.

Lifeguard Tower &amp; Restroom, Coronado

Set-up

© Primavera Systems, Inc.



Activity ID	Activity Description	Orig Dur	% Comp	Activity Start	Activity Finish	Budgeted Cost	Cost this Period	Cost to Complete	Total Float	2007											
										SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
0410	Bath Accessories	5	0	14JUN07	20JUN07	10,000.00	0.00	10,000.00	-20												
0260	Install Copper Roofing	10	0	15JUN07	28JUN07	140,000.00	0.00	140,000.00	-29												
0310	Install Doors	5	0	18JUN07	23JUN07	25,000.00	0.00	25,000.00	-31												
0340	Install Tile	2	0	18JUN07	19JUN07	7,500.00	0.00	7,500.00	-26												
0360	Install Kitchen Equipment / Cabinetry	2	0	18JUN07	19JUN07	7,500.00	0.00	7,500.00	-25												
0415	Install Plumbing Fixtures	7	0	20JUN07	26JUN07	15,000.00	0.00	15,000.00	-40												
0330	Install Interior Handrails	3	0	21JUN07	25JUN07	10,000.00	0.00	10,000.00	-25												
0380	Paint	3	0	25JUN07	27JUN07	25,000.00	0.00	25,000.00	-31												
0320	Install Ceiling Systems	3	0	28JUN07	02JUL07	7,500.00	0.00	7,500.00	-31												
0435	Lifeguard Tower Demobilization	1	0	03JUL07	03JUL07	12,500.00	0.00	12,500.00	-40												
0430	Punch List for Tower	5	0	03JUL07	10JUL07	5,000.00	0.00	5,000.00	-31												
0420	Final Clean-up	4	0	03JUL07	09JUL07	1,500.00	0.00	1,500.00	-30												
<b>North Beach Restroom Facility</b>																					
0440	Mobilization / Site Prep	5	100	20NOV06A	28DEC06A	6,250.00	0.00	6,250.00													
0450	Clear & Grub Site	5	100	29NOV06A	19DEC06A	15,000.00	0.00	0.00													
0470	Mass Excavation	5	100	18DEC06A	19DEC06A	45,000.00	0.00	0.00													
0485	Install Site Water Utilities	10	100	22DEC06A	27APR07A	70,000.00	17,500.00	0.00													
0520	Install Restroom Footings	4	100	26DEC06A	26DEC06A	15,000.00	0.00	0.00													
0460	Install Site Electrical Utilities	10	50	29DEC06A	04MAY07	145,000.00	0.00	72,500.00	-3												
0510	Install Restroom Footing Rebar	2	100	08JAN07A	12JAN07A	7,500.00	0.00	0.00													
0530	Install Slab on Grade Rebar	2	100	08JAN07A	16JAN07A	80,000.00	0.00	0.00													
0540	Install Slab on Grade	4	100	18JAN07A	16JAN07A	15,000.00	0.00	0.00													
0605	Plumbing Rough-in	1	100	22JAN07A	27APR07A	25,000.00	6,250.00	0.00													
0550	Install CMU	20	100	26JAN07A	14FEB07A	75,000.00	0.00	0.00													
0560	Install Wood Framing	3	100	21FEB07A	11APR07A	25,000.00	12,500.00	0.00													
0580	Install Stone Veneer	15	100	21FEB07A	27APR07A	25,000.00	5,000.00	0.00													
0645	Install Plumbing Fixtures	1	0	30APR07	30APR07	40,000.00	0.00	40,000.00	20												
0600	Electrical Rough-in	20	50	13APR07A	03MAY07	25,000.00	20,000.00	5,000.00	1												
0650	Miscellaneous Carpentry	15	0	30APR07	18MAY07	5,000.00	0.00	5,000.00	0												
0670	Demolition at Street	3	100	24APR07A	27APR07A	7,500.00	7,500.00	0.00													
0570	Install Roofing	5	100	19APR07A	23APR07A	20,000.00	20,000.00	0.00													
0590	Install Doors	3	0	30APR07	02MAY07	20,000.00	0.00	20,000.00	-5												
0600	Patch Roadway	2	100	24APR07A	24APR07A	7,500.00	7,500.00	0.00													
0630	Paint / Apply Graffiti Coating	10	0	03MAY07	18MAY07	10,000.00	0.00	10,000.00	-8												
0610	Perform Finish Grading	3	0	07MAY07	09MAY07	5,000.00	0.00	5,000.00	-3												
0620	Install Site Concrete / Sidewalks	10	0	10MAY07	31MAY07	15,000.00	0.00	15,000.00	-3												
0640	Install Electrical Fixtures	10	0	17MAY07	31MAY07	30,000.00	0.00	30,000.00	-8												
0670	Punch List for Restroom	5	0	30MAY07	05JUN07	5,000.00	0.00	5,000.00	-7												
0660	Final Clean-up	3	0	01JUN07	05JUN07	1,512.00	0.00	1,512.00	-8												
0700	Restroom Facility Demobilization	1	0	06JUN07	06JUN07	6,250.00	0.00	6,250.00	-13												

2844006				2017	
Start Date	10/10/17	Bury Bar		LE-PACIFIC INC	
Finish Date	10/10/17	Free Bar		Liquors Tower & Restroom, Coronado	
Start Date	10/10/17	Progress Bar		Self-up	
Finish Date	10/10/17	Critical Activity			
C.P. Mervana Systems, Inc					

**CITY OF CORONADO CONSTRUCTION VEHICLE SAFETY GUIDELINES**

- Do not drive on the beach unless it is absolutely necessary.\*
- If it is necessary to drive on the beach use the smallest vehicle possible.\*
- Before driving on the beach check in with the Superintendent Rick Hernandez.\*
- Use caution when driving on the beach since beach patrons, especially children, are not aware of vehicles on the beach.
- Keep to the area between the trashcan line and the sand dunes, away from people.
- Give pedestrians the right of way at all times.
- Always drive slowly and defensively. **10 MPH MAX**
- Avoid driving over berms, through narrow areas between berms, or in any area where you do not have good visibility around the vehicle.
- Watch out for people buried in the sand and deep holes.
- Before driving away from where you have parked, **YOU MUST** check under and around the vehicle to make sure the area is clear.
- When backing up a vehicle use a spotter and do not back up unless the spotter says it is clear to do so.
- Avoid making right turns unless you have a passenger or can otherwise verify that your blind spot is clear.
- Report any vehicle accidents to the Lifeguards immediately at 435-1867.

***ALWAYS REMEMBER: AS A GENERAL, RULE IF YOU CANNOT VISUALLY VERIFY THAT IT IS 100% SAFE TO PROCEED IN ANY DIRECTION WHEN DRIVING A VEHICLE; DO NOT PROCEED, STOP AND ENSURE THAT YOU HAVE A SAFE ROUTE TO DRIVE IN, THEN YOU MAY PROCEED.***



ATTACHMENT d.)

Subj: **Fwd: FW: Construction Equipment on the Beach & Central Beach Stairs**  
Date: 4/11/2007 9:45:15 A.M. Pacific Daylight Time  
From: Heinz57S  
To: HParker@coastal.ca.gov  
BCC: PreserveOurBeach, Loriemichaels, Heinz57S, CoronadoNews

RECEIVED  
JUN 08 2007  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Dear Ms Parker

Here are "some more"! It is important that the pictures are visible, not the dreaded red x in the little square. Please let me know if they should not arrive intact, through an e-mail 'reply' would be fine.

Sincerely,

Heinz Steiner

---

See what's free at [AOL.com](http://AOL.com).

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Forwarded Message:

Subj: **Re: FW: Construction Equipment on the Beach & Central Beach Stairs**  
Date: 4/6/2007 11:59:10 A.M. Pacific Daylight Time  
From: Heinz57S  
To: [mochenduszko@coronado.ca.us](mailto:mochenduszko@coronado.ca.us)

*Right-click picture(s) to display picture options*

Dear Mark,

Thank you very much for your prompt reply. Of all the items I addressed, the most important one is a SEVERE SAFETY HAZZARD!! The large mounds of debris and sand have sharp rocks and GLASS SHARDS mixed in with the sand. As a hill or mountain it is attractive to children to play and slide down. I removed some glass shards yesterday and today and cautioned parents of the children playing in these large mounds.

I have a difficult time to understand and accept that the city does not monitor something like that. Aren't SAFETY issues a priority? Who is in charge of these piles of debris? You and I know that the city will end up paying damages if something happens. I put some photos for illustration at the end of this.

The delay in the replacement of the stairs could be a consequence of one of the excuses you used on the portapotty: Very few workers on the job! Of course somebody needs to prioritize such items for the contractor since they are obviously working on other parts of the project that are fenced in and these projects inconvenience the public less, besides the fact they present an ugly picture as I illustrated.

Thursday, June 07, 2007 America Online: Heinz57S

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Any contractor that works on structural parts of a house is required to have a portapotty. Even if they have functional restroom facilities **INSIDE THE HOUSE** they are working on, which would put it in much closer proximity than the public restroom for beach-goers and visitors. Where does the city have the discretion to exempt any contractors from that requirement?

On the cranes, neither of the cranes has moved since the concrete pour, which is weeks! There does not appear to be a need for either one for many more weeks, since they can pump the concrete for the stairs, which means they are **STORED** on the beach. There are visible oil drippings in the pit under the large crane, and since the oil migrates down into the sand it might require a clean-up of hazardous materials. Why has nobody from the city monitored this situation and protected our beach from such contamination?

Who will pay for the clean-up?? The taxpayers???

I do not want to delay this message any longer since the #1 **SAFETY** item needs your attention so it can be corrected before the Easter rush to the beach! If they can't clean it up before the weekend, which sounds likely, have them fence it off with caution tape or something!

Regards, Heinz

Here are some illustrations of that problem:

**Yesterday's Pictures (04-05-07)**

**Kids on trash hill with sharp rocks, glass shards and who knows what else in it!**



**Not a good place for a family with kids!!!**



**The side of trash hill with fewer rock but concrete- and plastic bags**



**Running, jumping, sliding, kids being kids on a dangerous trash mound!**





**This side has more concrete pieces even glass shards in it!**



**Large concrete or sharp rock some glass shards in foreground!**

**I picked up 10 - 12 and showed them to the parents who then**



called their kids off the trash hill.

In a message dated 4/6/2007 10:49:05 A.M. Pacific Daylight Time, mochenduszk@coronado.ca.us writes:

Dear Heinz:

Thank you for your e-mail. We, too, want to keep construction impacts on the beach to a minimum. I will have our Public Services Director look at the sand/trash mix that you described and take appropriate action.

The following is some information that responds to the issues you have questioned. After the site demolition was completed (including the stairs), construction on this project started weeks later than originally planned. The project was delayed when the contractor advised the City that he felt the pilings designed for the lifeguard tower and called out in the construction plans were insufficient. We therefore, sought a second opinion that ultimately agreed with the contractor. While a new solution was being designed (and thereafter the new pilings were ordered), construction could not begin. The good news is that we feel the project will be a better, stronger building that will serve the community for a long time. The stairs were removed because utility lines to the Lifeguard Tower that are involved in the construction lie beneath the stairs. Replacing the stairs is a high priority and we have asked the contractor to replace them as quickly as possible.

One of the two cranes you have identified on the beach is currently being used in construction and is therefore permitted (including overnight) during the construction period. The second crane (very large) suffered a major break down after its work installing the sheet piles was completed while it was being removed from the beach. The contractor tried to remove the broken down crane but could not. I am told that some of the parts needed for the repair are being manufactured. It is anticipated that the crane will be repaired and off the beach within two weeks. We have advised the contractor of his responsibility to provide a catch system under the crane to prevent the spillage of fluids onto the beach and are following up to ensure that he complies with this requirement.

Because of the proximity of the construction project to the restrooms, and because there are so few workers on site relative to the population the restrooms are designed to serve, the construction worker impact on restroom use is minimal and the City has not required the contractor to equip the site with port-a-potties.

Best regards,

Mark

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**From:** Benson, Jim

**Sent:** Thursday, April 05, 2007 5:18 PM

**To:** Ochenduszk, Mark

**Cc:** Clifford, Mary; Walton, Ed; Cecil, Bill

**Subject:** RE: Construction Equipment on the Beach & Central Beach Stairs

This is Bill's project, not Ed! Second big piece of equipment is needed on the beach for the current work and will be removed as soon as that work is complete. Coastal was aware of the need to have the large equipment on the beach and did not object to leaving it overnight during the winter months. The broken down pile driver not only has a failed transmission, the axles to the tracks were also damaged. The contractor tried to find a way to get it off the beach. It is simply too big to move without the use of its own engines. Even if they could get the truck out their without getting the truck stuck, there is no way of lifting the machine onto the truck. They would rather have it off the beach to work

on it. Protection of the sand from their work on the equipment is a requirement for which they have already been reminded. Based on the proximity to the public restrooms at central beach, porta potties are not required.

Thanks, *Jim*

---

**From:** Ochendusko, Mark  
**Sent:** Thursday, April 05, 2007 2:52 PM  
**To:** Benson, Jim; Walton, Ed  
**Cc:** Clifford, Mary  
**Subject:** RE: Construction Equipment on the Beach & Central Beach Stairs

Jim/Ed-

Please advise. I know the large crane is on the beach because it suffered a major breakdown while being removed and should be repaired and gone by the end of next week. Can you inform me about the other crane- is it being used in current construction? Should we require catch devices of some sort underneath to prevent oil/gas etc. from leaking onto the sand? Is it being stored on the beach? Other issues raised- requirement for portapotties, removal of stairs and eta for replacement (why were the stairs removed?)

Thanks.

Mark

---

**From:** Heinz57S@aol.com [mailto:Heinz57S@aol.com]  
**Sent:** Thursday, April 05, 2007 10:25 AM  
**To:** Ochendusko, Mark  
**Subject:** Construction Equipment on the Beach & Central Beach Stairs

April 5, 2007

Thursday, June 07, 2007 America Online: Heinz57S

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City of Coronado

Mr. Mark Ochendusko

City Manager

1825 Strand Way

Coronado, California 92118

Subjects: Construction Equipment on the Beach & Central Beach Stairs

Dear Mr. Ochendusko,

I am not sure if I am knocking on the right door to get help with these issues, but lets find out. I also discovered that I did not send you a copy of my letter to the City Council Members and the Mayor concerning the approval of the EIR on Tuesday. My apologies, I am taking care of this oversight and attach it to this letter.

In the letter I mention the issue of the two large cranes that have been stored on our beach. They are an awful eyesore! I can understand that it may require some heavy equipment to build the lifeguard tower, but the California Costal Commission stipulated that no construction equipment be stored on the beach overnight during the construction process. Since they have been there for several weeks now, we know that these provisions, which are designed to protect our environment, our beach, are violated.

How does the city make sure the general contractor abides by the environmental protection provisions? Do you have clauses in the contract that oblige the contractor and his sub-contractors to follow all the required environmental protection safeguards? If you do, got any teeth in them?? Who oversees the construction



process and makes sure they follow the rules?

Somebody told me that one of the cranes is broken down and it could take several weeks before repair parts arrive. I was also told that precautions were in place to prevent any oil, hydraulic fluid, fuel, etc from polluting the beach. I don't know where they got that information, but when I visited the beach yesterday to check if somebody put a protective barrier under the cranes since Monday (when there was none), but was not surprised to find that there is still no protection in place.

As a matter of fact, the contractor dug a pit under the large crane as if he planned to service it right there on the beach. I am sure you understand that this violation of the environmental protection mandate is not acceptable and you need to make the contractor get these polluting eyesores off the beach, they exemplify willful and wanton disregard for our environment, OUR BEACH! There are always bigger cranes that can move and lift broken down big cranes off the beach to take care of that problem!

There was a rush to demolish and remove the central beach steps and then everything STOPPED! Why on earth would the responsible party in this city permit the demolition without having the follow-up process in place. It's like Cal Trans blocking off the bridge in both directions at 2 AM to install an important pipe, then realize that the connector piece does not fit, so they keep the bridge blocked until they can find the correct connector piece, that could take a few weeks, so it stays blocked for the duration. Hmmmmm! **NOT!** Who is responsible for planning these 'details'?

There is trash, bags from the construction site strewn all over the beach. There is trash on, in and around the cranes, two large hills of sand mixed with construction debris in it are piled up. I know that your city employees hold the contractors who build in Coronado responsible to keep the trash picked up and dirt mounds covered and that is behind obscured fences. These sand/trash hills are in the open ON THE BEACH!!

Every jobsite in Coronado is required to have a portapotty for the construction workers. I sure hope you will see to it that the contractor places one on the site so beach goers and visitors do not have to compete for toilette stalls with the construction workers! It's the law!

I am sure you expect the city to conduct this public construction project in a manner that is as professional as Coronado's building department demands from contractors, builders and developers who build private projects in our city. Coronado has a reputation for enforcing the rules very strictly, which is great, and should also apply to city projects. Perhaps this sensitive, expensive, and contentious construction project

deserves more scrutiny from within the city government and administration.

I am looking forward to get some answers and hope that you can get the responsible parties to bring the deficiencies into compliance and remedy these problems quickly.

Give Coronado a CLEAN BEACH FOR EASTER!

Sincerely,

Heinz Steiner

P. S. I sent it by e-mail to make it easier to inform the right people with the pictures. I do not have the e-mail addresses of the mayor and others and am not sure the pictures could be sent through the web-site's e-mail feature, so please forward it to them.

Photos to illustrate these points below

A handwritten signature in black ink, consisting of the letters 'H' and 'S' joined together in a stylized, cursive-like font.



**The cranes obstructing the view of point Loma from Ocean & Isabella**

**Not a "pretty" fence,at least they had sense enough not to obscure it.**

**Showsome PRIDE! This NOT Tijuana!**





**View of the cranes from the Ocean side**



**Trash in, on, and around the dilapidated cranes**



**No barrier under the smaller crane, hydraulic levelers directly on the sand.**



**Trash by cranes, no barrier for dripping fluids (and dropping solids)**

**A pit dug under the crane**

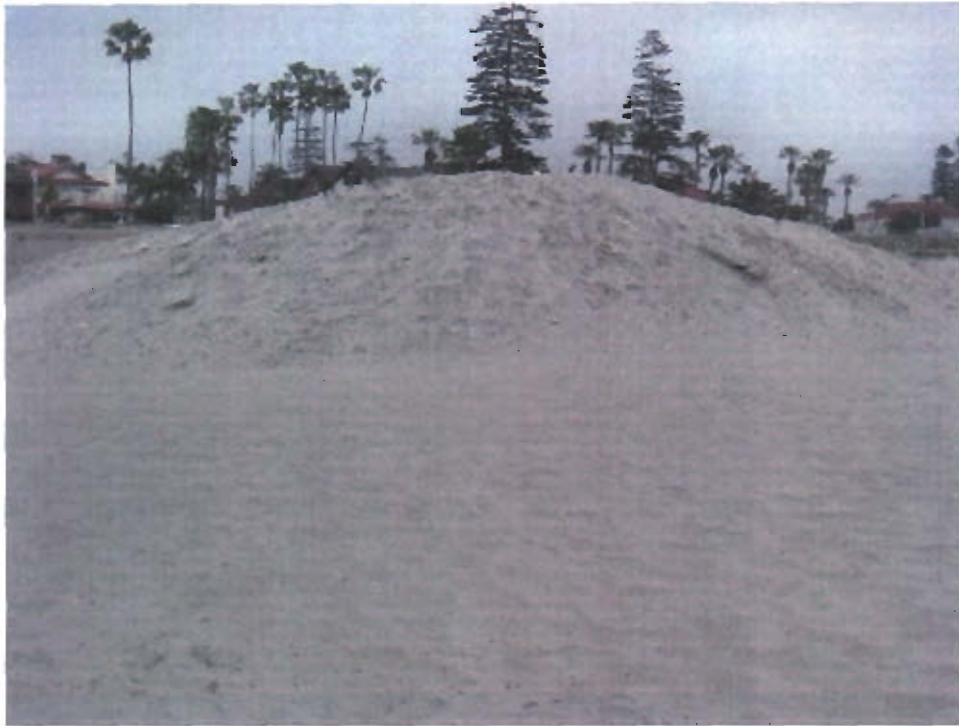


**Detail of no barrier under smaller crane with debris scattered under and around it**



**Detail of the pit under the crane, a good illustration that there is absolutely NO barrier or protection from liquid or solid pollutants**





**Piled up hill of sand mixed with construction debris ON OUR BEACH!**



**See: No Portapotty**



Hey look there is visquine under the mixer, see I was also seeing things that complied,



The ugly polluting cranes and the debris hill on OUR BEACH. Cement and other bags on it, in it,

Thursday, June 07, 2007 America Online: Heinz57S

///

and flying around. The view looking from the beach to Ocean Blvd



The stair location looking up. I see the missing stairs.

Others notice the fence with the professional barrier and caution tape placement!

It has been like this for days! Need more frequent jobsite visits?

'Nuf sed!



---

See what's free at [AOL.com](http://AOL.com).



/ ATTACHMENT 2.)



**CITY OF CORONADO**  
**ENGINEERING & PROJECT DEVELOPMENT**

**RECEIVED**

JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

1395 FIRST STREET  
CORONADO, CA 92118-1502

TEL: (619) 522-7383  
FAX: (619) 522-0405

February 27, 2001

Ms. Diana Lilly  
Coastal Planner  
California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4402

Subject: Replacement of third story to Lifeguard Tower, Permit Application  
No. 6-01-04

Dear Diana,

The enclosed original of the Administrative Permit for the subject project is receipted and we will accept the conditions. Thank you for the placement on the Commission's March calendar.

We will present a plan and evidence of compliance with all special conditions upon award of a contract with a successful bidder for your approval. The plan will be prepared jointly between the City of Coronado and the contractor to outline the staging and construction area. Then the local permits will be applied for after receipt, as you indicate, of the permit authorization from the Coastal Commission.

Again, thank you for your quick processing of this permit application and we look forward to the hearing on March 16, 2001.

Sincerely,

Signature on File

Encl.

Copy to:

Peter Fait w/encl.

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## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
5 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4402  
9) 767-2370

**Fri 3a**

Page 1 of 4

Permit Application No. 6-01-4/DLDate February 22, 2001ADMINISTRATIVE PERMIT

APPLICANT: City of Coronado

PROJECT DESCRIPTION: Replacement of the existing third story of a City lifeguard tower.

PROJECT LOCATION: On the public beach (Central Beach) west of the intersection of Ocean Boulevard and Isabella Avenue, Coronado, San Diego County.

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: March 16, 2001  
9:00 a.m., FridayLOCATION: Bahia Hotel  
998 W. Mission Bay Drive  
San Diego, CAIMPORTANT - 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 DirectorBy \_\_\_\_\_  
Signature on File

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City of Coronado's Post-Certification and Appeals Map. Therefore, Chapter 3 of the Coastal Act is the standard of review.

The Coastal Act emphasizes the need to protect public recreational opportunities and to provide public access to and along the coast. As proposed, the City will not be undertaking any work between Memorial Day and Labor Day; when beach users would be most impacted from construction activities. Special Condition #1 specifically prohibits construction from occurring during the summer months.

Construction would involve fencing off an area within 100 feet surrounding the tower for staging and storage of construction equipment. This is not expected to have an adverse impact on public beach access, as the tower is located approximately 320 feet from Ocean Boulevard, and lateral and vertical beach access will be available all around the tower area. The City is planning on using a City parking lot near City Hall on Strand Way for trailer storage and construction parking. No more than one parking space on Ocean Boulevard would be used by construction vehicles. Because the project will take place outside the summer season and all of Ocean Boulevard is available for public parking, usurpation of one space is not expected to have a significant adverse impact on the availability of beach parking. Therefore, as conditioned, the proposed project can be found consistent with the public access, recreation, and shoreline protection policies of the Coastal Act.

The subject site is designated "beach" in Coronado's certified LCP. As discussed above and as conditioned, the proposed lifeguard station remodel can be found consistent with this designation. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of Coronado to continue implementation of its certified LCP.

SPECIAL CONDITIONS: 1. Construction Schedule/Staging Areas. The applicant shall comply with the following construction parameters as proposed:

- a. Use of sandy beach and public parking areas outside the actual construction site, including on-street parking, for the interim storage of materials and equipment is prohibited.
- b. No work shall occur during the summer months (start of Memorial Day weekend to Labor day) of any year.
- c. No more than one on-street parking space on Ocean Boulevard shall be used for construction purposes.

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

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# Th10b

Agenda Item: TH10b-6-2007

Permit #6-04-140-A1

Susan Heavilin

Position: Opposition to the Project

RECEIVED

JUN 08 2007

California Coastal Commission  
7575 Metropolitan Drive, #103  
San Diego, CA 92108-4421

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Susan Heavilin  
1144 Isabella Avenue  
Coronado, CA 92118-2832

June 6, 2007

Re: City of Coronado's request to amend permit to work through summer on Lifeguard Tower construction

Dear Commissioners, Executive Director, Deputy Directors, District Managers and Staff:

Thank you for the opportunity to "speak" about this agenda item.

Coronado Beach is the jewel in the crown of Coronado. It is known, admired and enjoyed by people from all over California, the United States and the world. It is listed on The Travel Channel (TravelChannel.com) as "one of the best beaches" and it has made the "Top Ten Beaches in North America" list for yet another year, this time at the #8 position. (Exhibit A) So when one has the honor of living in a town with such a beach, it is important to the residents to maintain, care and show a loving concern for it.

Imagine our joy and elation to be told that the old, crummy, condemned Lifeguard Tower would be razed and a new, beautiful tower would be built. We were informed in the June 2002 Coronado Currents (written by City Staff) that a new tower could be in service by next year, meaning 2003. (Exhibit B) But 2003 passed, as did 2004, and 2005, and then 2006, and finally—in January of 2007—the old tower was knocked down. And Jim Benson, Director of Engineering and Project Development, summed it up so wonderfully in the City Council meeting this past Tuesday. When discussing the many building problems arising in our city, he explained his Engineering Department dilemmas by stating that "the existing staff does not have the time or expertise."

This has been evident in the construction site since the job commenced. First the stairs were demolished, eliminating the main entrance to Central Beach. And then nothing, no apparent effort was made to reconstruct them. (Exhibit C) I must say, at this point, that I was quite surprised that they wasted the money when they were in excellent condition and moved a great deal of traffic onto the beach. Sure, there was the handicapped ramp due south, but with its sharp switchback and hoards of people trying to enter the beach, it is often backed up to the street. And forget trying to maneuver a wheelchair through that.

Next the Coastal Commission regulations were broken with flagrant disregard for the environmental concerns of the beach.

- Large cranes were left on the beach for long spans of time dripping unknown contaminants onto the sand and ignoring the equipment storage section. The City cried wolf, the big crane was broken and parts had to be ordered. But the smaller crane remained and the crane repairman explained to us that cranes are just moved from job site to job site because it was too expensive to take them back to the yard. (I believe Heinz Steiner has those photo exhibits in his packet.)
- The debris from the razing of the old lifeguard tower remained on the beach for over three months, violating the 72-hour limit. It was not until a week after the City Manager was informed that the wind had eroded the sand and children were playing on top of the debris hill, that he wrote an email stating that the construction crew would hand pick the debris out of the debris pile and then spread the clean sand on the beach. (Again, Heinz's packet.) But lo and behold, the very next morning—April 12<sup>th</sup>—a bulldozer was spreading the whole mess (glass shards and all) across Coronado Beach. I went to the site and, within a 3'x3' area, found four shards of glass and one very sharp ceramic tile. The following day, two city employees were seen picking up debris for a couple of hours. One worker was on foot and one was driving a truck around with the door open so he could stop and pick up glass. They informed us that it would take three weeks to pick it all up. They worked for two hours that day and the next day only one returned for one hour and then they were never seen again. (Exhibit D) (Exhibit E: First video)
- Five days later, a city bulldozer carved a huge crater out of the first set of sand dunes north of the storm drain flow. All dunes south of these have been removed and the job is half done on these. (Exhibit E: Second and third video) Just a few years ago, the tower was encompassed with sand dunes. Now the beach is flat and groomed weekly to remove all ice plant that continually attempts to grow back. (Exhibit F)
- The dunes by the bathroom construction site at North Beach haven't been treated any better. It appears that no attempt was made to preserve them nor the ice plant growing on them. One dune was plowed out so that the trash dumpster could be placed within it. (Exhibit G) Is this any way to treat our most treasured asset?

The City incorrectly estimated that it could complete construction on the tower, first-aid building and bathroom in ninety days. This was rather optimistic and was impossible due to incompetence in planning and scheduling by the City Staff. And then, of course, there were other setbacks with time wasted on things that had to be redone. Concerned about the inactivity on the stairs, I wrote Jim Benson an email. He responded that his estimated start date on the stairs would be April 24<sup>th</sup>. As of today, June 6<sup>th</sup>, the work on the main entrance staircase has yet to be started. As for work on the first aid building and tower, the crew was limited to just a few, the work days often short, and many days there was no construction taking place what-so-ever. To illustrate my point, I have enclosed a timeline that I kept through May 11<sup>th</sup>. (Exhibit H) The City should have instructed the construction crew to concentrate on getting either the bathroom or tower done, rather than



driving back and forth on the beach all day and having half the man power on each location.

And now to the final, and most important, point of my entire letter. This is a busy beach in the summer. It's insane to think of plopping a construction site in the middle of the most densely populated stretch of this popular beach at its peak attendance level. What did the Coronado Currents say, 2.5 million? Not only is the beach in high use but also the surrounding pedestrian sidewalks and roadways. Imagine the street full of construction vehicles and the beach also, and trying to work while trying to avoid an unfortunate accident with a vacationing tourist. I believe it's a formula for a tragedy waiting to happen. I have included photos of the day they poured the foundation so you can better visualize the massiveness of the cement trucks, the concrete pumper, and the cranes . . . amid the crowds of summer. This tower will not be operational during this summer of 2007. Why build through this dangerous period and endanger lives when it would be much more effective to wait until Labor Day when the crowds have dispersed? There is no avoiding the multitude of people, they're constantly moving . . . on the street . . . on the sidewalk . . . on the beach . . . on the water's edge. Imagine an ant colony. (Exhibit I)

In summary, I ask you to consider two things. First, to enforce your regulations and protect the Coronado Beach environment during future construction. And second, to button up this construction zone right away and advise the City of Coronado to resume after Labor Day when the majority of tourists have departed. (Exhibit J)

Again, thank you for the opportunity to voice my opinion. I hope that you will read my letter with an open, undecided mind and consider closing this construction site until September 4<sup>th</sup>, 2007.

Sincerely,

Signature on File

ENCLOSURE. EXHIBITS A-J

ATTACHMENT A

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Coronado Beach, California

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By Theodore Fischer and Jennifer Plum Auvil  
March 2006

Just over the bridge from San Diego is a small, tree-lined beach haven known as Coronado. The "island," as many locals call it, is really a peninsula connected to the mainland by a neck of land named the Silver Strand. Coronado is about a mile from downtown San Diego

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and is linked to the city by the Coronado-San Diego Bridge. Crown City, as it is called (Coronado means "crowned one" in Spanish), regards itself as a friendly, small town of wide leafy streets lined with Victorian homes and Californian bungalows ... and regards San Diego as somewhere else.

Along with the amicable, small-town atmosphere and near-perfect weather, Coronado proudly touts itself as a car-optional environment. The island is small enough to walk almost anywhere — it's only a mile from the San Diego Bay side of the peninsula to the ocean — and the Coronado 904 Shuttle (fare is \$1) loops past most of the hot spots. There are also 15 miles (24 kilometers) of relatively flat paths fit for both cyclists and skaters and even more miles of bike routes along city streets.

The emblem of Coronado is the Hotel Del Coronado — a Victorian pleasure dome that instantly turned Coronado into a beach resort when it opened on the oceanfront in 1888. Other resorts followed, but today the military, not tourism, represents Coronado's largest industry. The North Island Naval Air Station, site of America's first military flying school, occupies the entire north half of Coronado, and Navy SEALs train at the Naval Amphibious Base on the south end of town.

For well over a century, Coronado's beaches have been its fortune. The main beach, Coronado Central Beach, stretches 1.5 miles (2.4 kilometers) behind the great houses along Ocean Boulevard. The morning crowd here includes the SEALs who run along the beach. Later in the day swimmers, bodysurfers, boogie boarders, sand sculptors, tide poolers and, from December through February, whale watchers all take to the sand and sea. North Beach attracts surfers in the morning, and at the extreme north is Dog Beach, where leashless canines can frolic in the surf.

Other beaches include Silver Strand State Beach along the road connecting Coronado to the mainland, where fire rings are provided and overnight RV camping is welcome. Coronado also offers less-crowded beaches. Glorietta Bay Beach is a grassy park and playground with a small sandy beach, and there is a vest-pocket patch of sand beside the wooden pier at the Ferry Landing Marketplace that's a good bet for a barren beach.

### Child-Friendliness

rating: 4 of 5

more:

If Coronado's plentiful oceanfront diversions don't suffice, popular local attractions such as SeaWorld San Diego, the San Diego Zoo, San Diego Wild Animal Park and Legoland beckon to families visiting the area.

### Swimming

rating: 5 of 5

more: Calm, fairly warm water with mild tides make



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swimming doable most of the year. Major beaches have lifeguards on duty seasonally.

#### **Sand**

rating:5 of 5

more: Broad expanses of clean, white sand create lively settings for tanning, tide pooling, beach volleyball, whale watching, football and picnics.

#### **Atmosphere**

rating:4 of 5

more: Isolation from the mainland and small-town flavor make visitors feel more like guests than paying customers.

#### **Non-Beach Activities**

rating:5 of 5

more: Biking, strolling and recreational shopping are the main off-beach pastimes, but San Diego is close by, as is Mexico.

Pictures: DCI |

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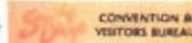
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Shopping

## Best U.S. beaches announced; Maui tops list

### 'Dr. Beach' announces annual top 10; Maui, Florida, New York each have 2



AP file

Fleming Beach Park: America's best beach, at least according to beach expert Stephen Leatherman.

**AP** Associated Press

Updated: 8:54 a.m. PT June 6, 2006

MIAMI - "Doctor Beach" is out with his top-ten list of the best beaches in North America, and a stretch of sand on the Hawaiian island of Maui is number one.

Stephen Leatherman is director of Florida International University's coastal research lab, and has studied beaches for years. He says Fleming Beach Park earned the top spot for its natural beauty and its well-maintained facilities.

Two other Hawaii beaches are on the top ten. Florida and New York each had two beaches on the the list.

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Leatherman looks at 50 criteria in his annual survey, which he's done since 1991.

WHAT DO YOU THINK?

**What's your favorite beach?**

Here are his picks of the top ten beaches:

1. Fleming Beach Park, Maui, Hawaii
2. Caladesi Island State Park, Dunedin, Florida
3. Ocracoke Island, Outer Banks, North Carolina
4. Coopers Beach, Southampton, New York
5. Hanalei Beach, Kauai, Hawaii
6. Main Beach, East Hampton, New York
7. Coast Guard Beach, Cape Cod, Massachusetts
8. Coronado Beach, San Diego, California
9. Hamoa Beach, Maui, Hawaii
10. Barefoot Beach Park, Bonita Springs, Florida

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## Lifeguard Service Ready for Summer Season

JUN 08 2007

### New Lifeguard Tower to be Built

Each year, more than 2.5 million people visit Coronado beaches. This summer will be no different. In preparation for the large crowds, the City began evaluating its existing lifeguard facilities, including the lifeguard tower at Central Beach.



The City will soon be exploring designs for a new lifeguard tower.

An extensive review of the 50-year-old structure determined that it is in need of replacement. The tower has since been fenced off as a safety precaution. Temporary portable towers will be used this summer season, providing service consistent with previous summers.

"The City is preparing plans for a new lifeguard tower that would include an operations headquarters, first aid station, and equipment storage facility," said City Manager Mark Ochendusko. "The new tower will be sufficiently elevated to provide lifeguards with a view of the beach, facilitating quick responses."

The City Council will consider several options for the replacement facility and anticipates making a decision by the end of the year. A new tower could be in service by next year. In the meantime, enjoy

the beach and the outstanding service provided by the CALIFORNIA COASTAL COMMISSION SAN DIEGO COAST DISTRICT

### What's Next

#### LIBRARY UPDATE

Construction to begin this fall. Stay tuned.

#### TUNNEL UPDATE

Initial studies underway. More information next issue.

#### DOWNTOWN SPECIFIC PLAN

Work in progress. Public meetings ongoing.

#### AND MUCH MORE...

INTEGRAL ISSUE

Keeping Our Community Informed



# Coronado Currents

The Official Publication of the City of Coronado Volume 1

June 2002

### What's Inside

- 2 Community Center Update
- 3 Bridge Toll Removal
- 4 New Lifeguard Tower

### Coronado's Next Generation:

Glorietta Bay Master Plan Update

Sustaining the unique residential- and business-friendly village atmosphere in Coronado is the foundation of the Glorietta

Administrative Services, Engineering, Community Development, City Clerk, Council offices and the City Manager's

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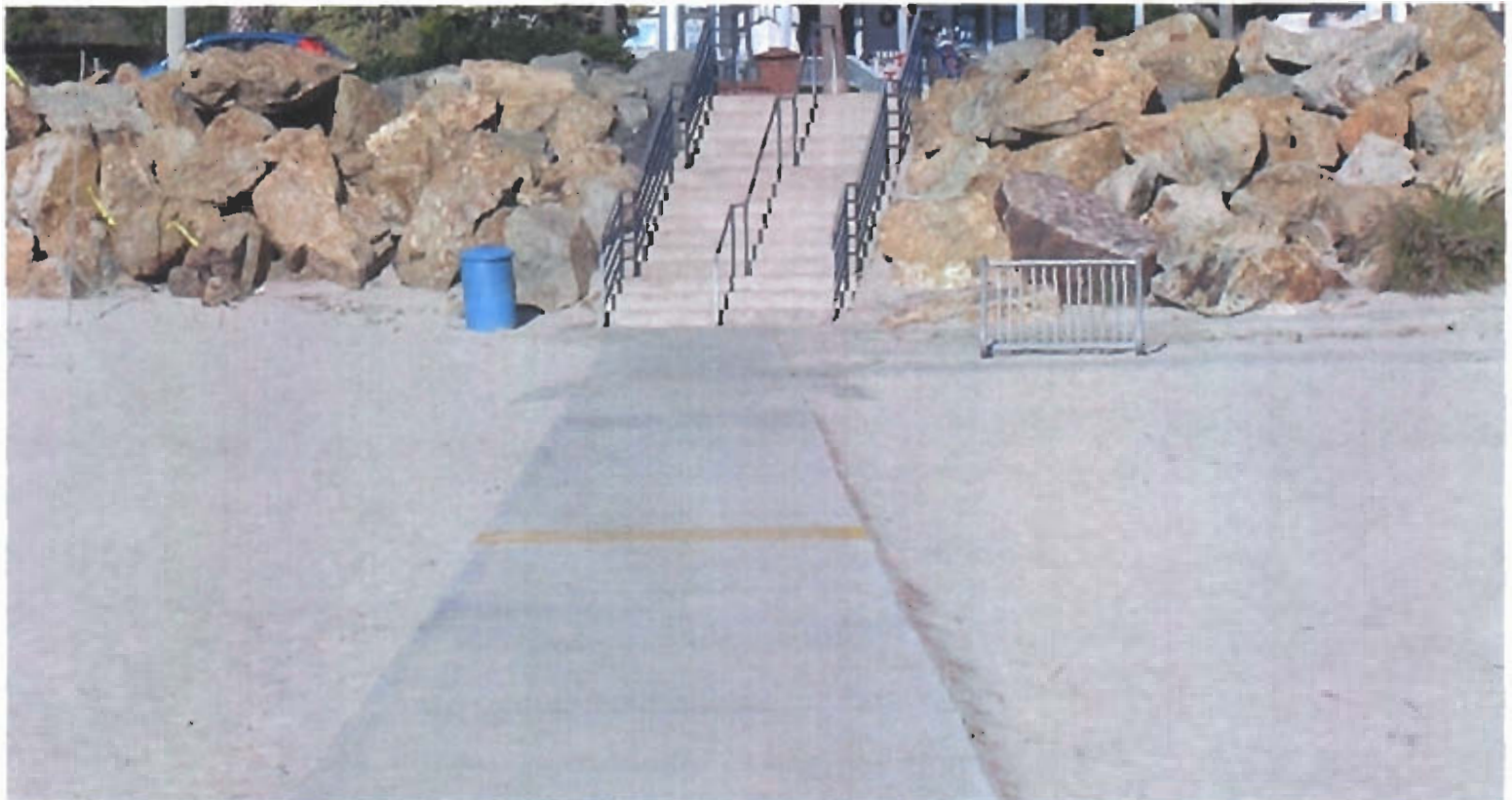


ATTACHMENT C

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Looking toward staircase, main entrance to  
Coronado Beach, summer 2006

125



Bottom half of staircase removed, December 2006





Complete stair removal



ATTACHMENT ①

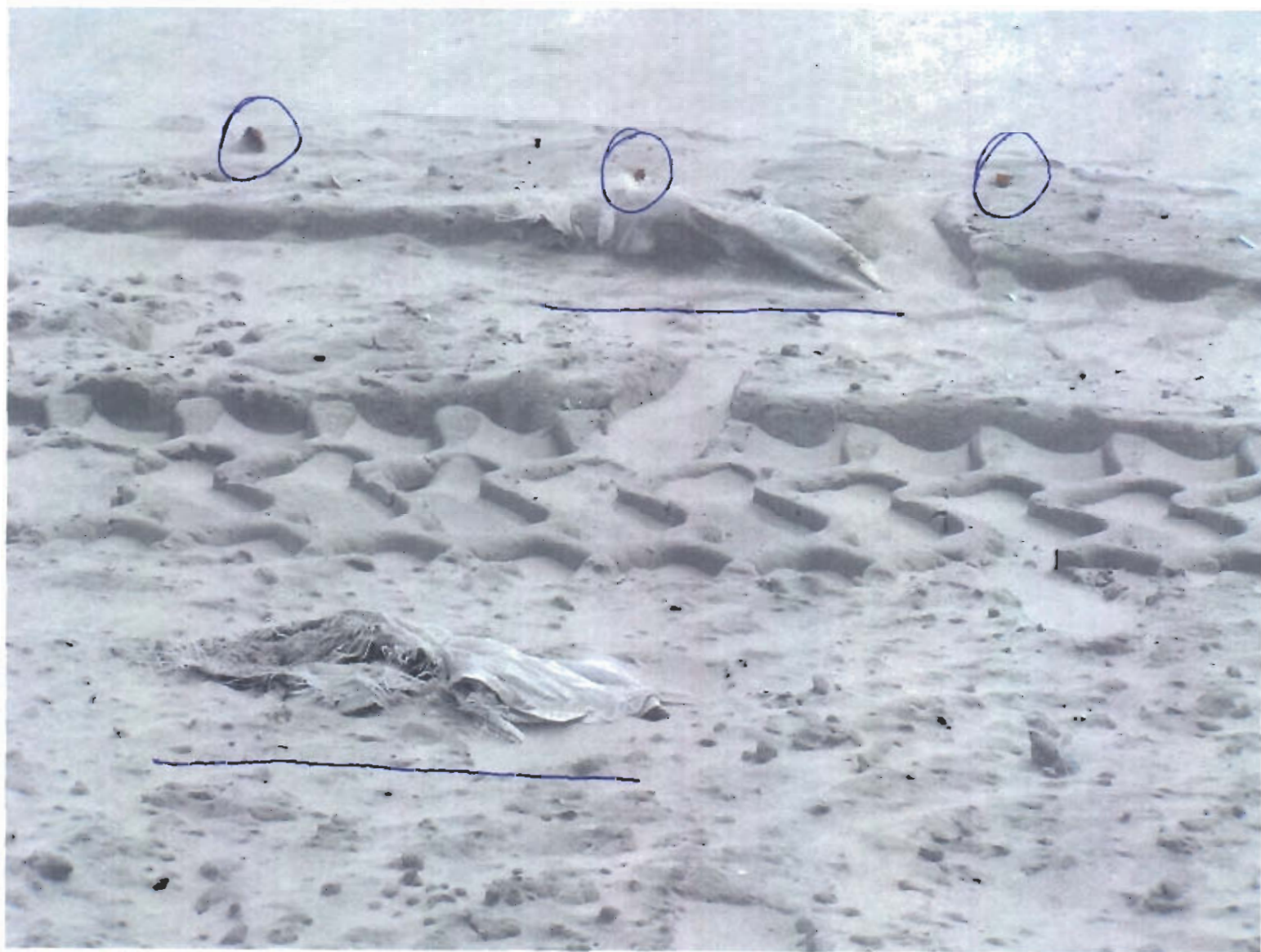
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April 12, 2007 - Debris pile is spread over  
Central Coronado Beach



Debris spread on main beach

3' x 3' section photographed.

Evident glass is circled, bags are underlined





Broken glass and ceramic tile found in  
afore mentioned 3'x3' area. Notice glass is  
not "seaglass" but has defined, sharp edges. /30





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3/26/2007 - Iceplant with purple blooms





4/2/2007 - These were beautifully rounded sand dunes covered in blooming iceplant



4/2/2007 - Damage to Dunes and Iceplant at  
North Beach Bathroom location





4/2/2007 - Dunes at North Beach were plowed out and trash container plopped down.

ATTACHMENT H

aolrich://58465501051/

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Subj: SCHEDULE FOR MAIN ENTRANCE BEACH STAIRS  
Date: Friday, May 11, 2007 9:04:42 AM  
From: Babydel  
To: jbenenson@coronado.ca.us  
cc: mochenduszeko@coronado.ca.us, Babydel

Mr. Jim Benson  
Director of Engineering and Project Development

May 11, 2007

Dear Jim---

In your email response of April 13th, you wrote me that the stairway replacement was scheduled to begin on April 24th. Seventeen days later and I have seen no evidence of any work proceeding on the main entrance stairs. Memorial Day (May 28th) is only ten working days away and then by California Coastal Commission regulations, all work on the beach must stop. Our 2,000,000+ visitors will be arriving any day.

Please inform me as to what the current schedule is.

Sincerely,

Susan Heavilin

In a message dated 4/13/07 9:45:18 AM, jbenenson@coronado.ca.us writes:

The updated contractor schedule calls for the water and electrical utilities being completed by April 23. Once we have final revised plans from our electrical engineer and architect responding to the SDG&E issue, the contractor will begin installing the conduit. The stairway replacement is scheduled to begin on April 24.

\*\*\*\*\*  
See what's free at <http://www.aol.com>.

## Tower Construction Timeline

- 06/01/06 Coronado Beach is named #8 of top ten beaches in the United States. Only beach in California to make the list.
- 04/05/07 Concerned citizen writes City Manager Mark Ochendusko about CA Coastal Commission regulation violations and documents with photos. He also informs him (noon) about the glass shards in the trash mound, the crowded beach due to Spring Break, and the attraction of several children to the trash mound. Mark responds that he will look into it. At six pm, no safety devices have been put into effect.
- 04/06/07 Concerned citizen emails Mark Ochendusko again about his concerns about the glass.

Two concerned citizens go out to beach to see if City has barricaded the dangerous trash mound or possibly put up warning signs but nothing seems to have been done. There are numerous exposed shards of glass. They are approached by Rick Hernandez, Project Superintendent, from I.E.-Pacific Inc. He wants to know "Can I help you?" They have conversation with him. Big crane is broken down. There are four or more cans strewn around the large crane area and dried bits of machinery lube blowing around the crane shelf. Another smaller crane accompanies it. There is oil or diesel evident on the naked sand under both and a STRONG smell of diesel on Ocean Blvd. side of cranes. Upon leaving, they run into Janine Zúñiga, Staff Writer for the Union Tribune, and she engages them in conversation about the site.

- 04/06/07 Mark Ochendusko emails concerned citizen that the contractor has been directed to remove the glass shards from the trash mound. He states a plastic drop cloth has been placed under the broken crane and he is not required to provide a port-a-potty for the construction workers.

A layer of wet sand was added to the trash mound to solve the problem of glass shards in the sand. It is my personal opinion that this solution is inadequate. When the sand dries, it will blow away as before, leaving exposed glass shards. I would recommend erecting some type of barrier around the trash mound with "danger" or "do not enter" tape.

- 04/06/07 Concerned citizen contacts the "enforcement officer", Marsha, at the CA Coastal Commission. She will check into it and he should call her back on Monday.
- 04/09/07 Concerned citizen calls Marsha four times on Monday but she is never available. She does not return his calls.
- 04/10/07 Concerned citizen calls again. Marsha returns his call and leaves him a voice mail that she is waiting to hear back from the city of Coronado.
- 04/11/07 Concerned citizen finally manages to have a conversation with Marsha. Refer to "Coastal Commission Update" email dated 04/11/07.
- 04/12/07 City bulldozer distributes trash pile of glass shards, human feces, concrete, and sandbags over Central Beach. Works until 7:40 at night.
- 04/13/07 Bulldozer spends two more hours this morning raking Shard Beach. Two city employees are on Shard Beach picking up glass. One on foot while the other one is driving a white truck with the door open and reaching out occasionally— while the truck is still moving—to pick up debris.
- 04/13/07 One city employee on beach picking up glass (on foot).
- 04/14/07 Do not see any one on beach picking up glass from this day forward.
- 04/17/07 Bulldozer dives into range of sand dunes just north of river. Destroys the beautiful iceplant blooming with purple and yellow blossoms that I took those great pictures of just last week. Creates basin with road out towards ocean. All dunes from tower north to storm drain flow (river) to ocean have been removed. This is the first set of remaining dunes. Looks like City might be planning to clear it from the beach, also.
- 04/17/07 Stopped by Scott Huth, Director of Public Works, on way in to City Council Meeting. He tries to tell me that sand from dunes was used to bury kelp. I tell him that first, there is no kelp on the beach right now as I walked it the day before and second, we use beach sand to cover kelp not beach dunes.
- 04/19/07 No construction going on at tower.
- 04/20/07 No construction going on at tower.
- 04/21/07 No construction going on at tower.
- 04/23/07 No construction going on at tower. Front loader moves sand piled by ocean (for storm protection?) and relocates around beach area south of volleyball courts.



04/24/07 Construction resumes on tower, limited crew.

04/30/07 No construction going on at tower.

05/01/07 No construction going on at tower.

05/02/07 No construction going on at tower.

05/03/07 No construction going on at tower.

05/04/07 One lone worker on a ladder. Entire workday: one to two hours (saw him start but did not see him leave, two hours every thing completely closed up so might have left quite a while ago.)

05/07/07 No construction going on at tower.

05/08/07 No construction going on at tower.

05/09/07 No construction going on at tower.

05/10/07 Limited crew working on tower.

05/11/07 No construction going on at tower.



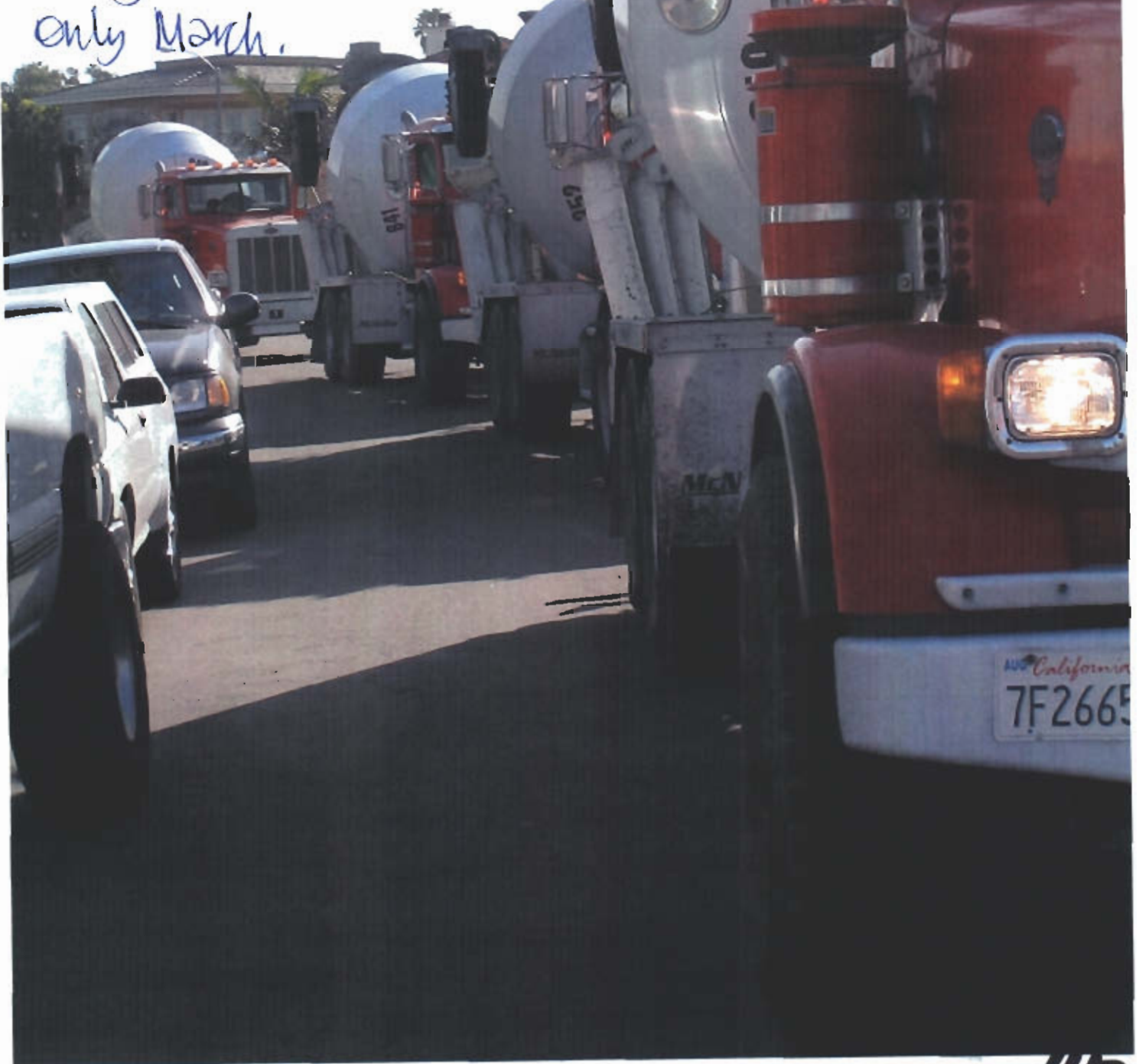
5/4/2007! One lone worker does his thing for  
one to two hours,

# ATTACHMENT I

3/28/07

Chaos on Ocean Blvd and  
Isabella Avenue -

Cement Trucks every  
where and pedestrians  
everywhere. Note - it's  
only March.



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Concrete Pumper over pedestrian sidewalk



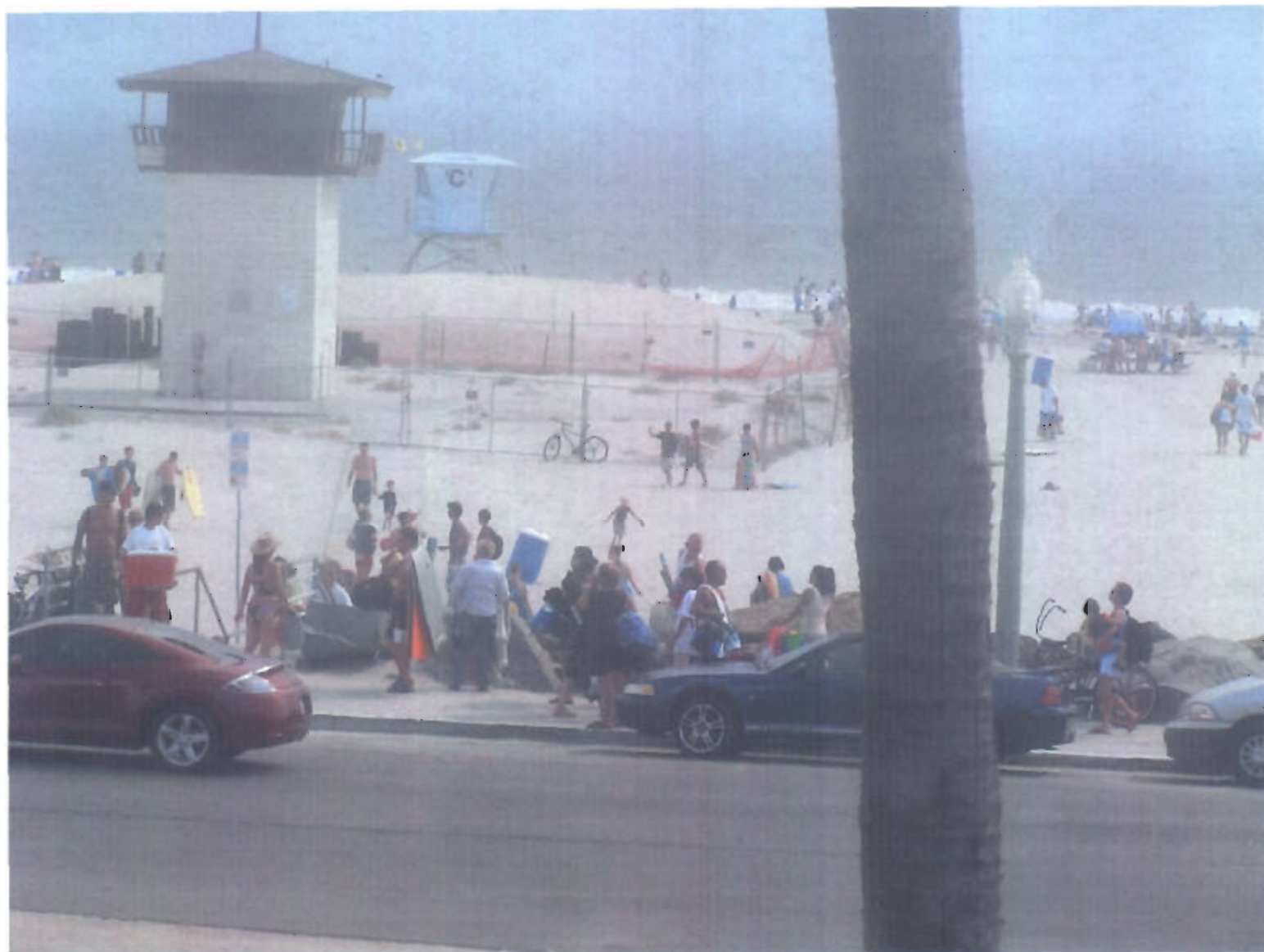


Concrete Rumper across substantial span of Central Beach



Coronado Beach, summer 2006





Coronado Beach, summer 2006



Coronado Beach, Summer 2004





Coronado Beach, summer 2006

ATTACHMENT J

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CALIFORNIA  
LIFEGUARD COMMISSION  
SAN DIEGO COAST DISTRICT



Central Coronado Beach after Labor Day, 2006

# Th10b

VIA FACSIMILE 619-767-2384  
U.S.MAIL  
HAND DELIVERED  
June 7, 2007



California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4421

Re: Th 10b Application No. 6-04-140-A1 (City of Coronado)  
I Request for Commission to DENY the Amendment

Dear Commissioners, Executive Director, Deputy Directors, District Managers,  
and Staff,

I request that the Commission DENY any amendment to the City of Coronado's permit, based on Condition #1 of the Coastal Act.

The City of Coronado has requested an amendment to its permit due to "unforeseen circumstances". Coronado's poor planning and questionable lack of oversight does not constitute an emergency on your part, therefore no waivers, extensions, or amendments should be granted.

When the City contracted with I.E.-Pacific, Inc. to construct the Lifeguard Tower and North Beach restrooms, they should have known of the likelihood that this work would be subcontracted to business owners lacking the skills to properly build this project.

Further, City Engineer and Asst City Manager Jim Benson, Capital Projects Manager William Cecil, and City Manager Mark Ochendusko have attempted to mislead the public about the delays and many mistakes made throughout this project.

Numerous violations of the permit have occurred, some of which were brought to the attention of the Commission by concerned residents. Of major concern was the large broken-down crane owned by R.E.Staite, Inc. which was left sitting on the beach sand for 9 weeks. The Central Beach concrete stairs, which were in perfect condition, were removed without your permission months ago.

(Demolition of these stairs was in the contract with I.E.-Pacific, Inc.) We have heard various dates as to when these important stairs would be replaced, but

150



Memorial Day has come and gone, and the stairs are still missing. This creates a significant safety hazard and severely limits public access to the beach. I have collected many photographs over the past several months which will support my allegations.

The City of Coronado has repeatedly demonstrated its unworthiness to be the steward of one of the most outstanding beaches in the country. The City of Coronado demonstrates daily its disregard for the importance of adhering to the requirements of its Coastal Commission Permit. No construction of any kind should be conducted on the sands of our public beach between Memorial Day and Labor Day. There should be no exceptions.

This terribly mismanaged project motivated more than 2500 local residents to sign a petition seeking an initiative which would require any future beach construction to first be approved by the voters. The expense of placing this on the ballot for November 2008 will be a result of the citizens' general lack of confidence in the wisdom of Coronado's Mayor and City Council, arising from the mishandling of the above Lifeguard Tower and Restroom project.

We are depending upon the California Coastal Commission to support the residents of Coronado in helping us to protect our beach.

Signature on File

Coronado, CA 92118  
619-522-0510 email: jtagi@san.rr.com

6/7/2007

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
(619) 767-2370



# TH 10b

Filed: May 24, 2007  
49th Day: July 12, 2007  
180th Day: November 20, 2007  
Staff: D. Lilly-SD  
Staff Report: May 24, 2007  
Hearing Date: June 13-15, 2007

AMENDMENT REQUEST  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-04-140-A1

Applicant: City of Coronado

Agent: Gary Orsa

Original Description: Demolition of an existing 30-foot high, 534 sq.ft. lifeguard tower and construction of a new 35-foot high, 1,050 sq.ft. lifeguard tower/station in the same location on Central Beach, and construction of a new 790 sq.ft. restroom facility on sandy beach at North Beach. The lifeguard station includes construction of a seawall west of the structure.

Proposed Amendment: Revise Special Conditions #2 and #4 to allow staging and storage of construction equipment and materials during the summer season (Memorial Day through Labor Day).

Site: Central Beach and North Beach, Coronado, San Diego County.

Substantive File Documents: Certified City of Coronado LCP

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STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed amendment. Initially, the City had planned to have the project completed prior to the summer season. However, due to several unforeseen circumstances, the project has suffered a series of delays, resulting in the need to work on the project (and store equipment on the beach) into the summer. While staging and storage of equipment on the beach during the summer season can potentially impact the ability of the public to use the beach, in the case of the proposed project, allowing the equipment to stay on the beach will allow the City to complete construction of the lifeguard tower and public restroom—valuable public recreational amenities—as soon as possible. The beach at Coronado is very wide and broad, and the limited amount of area that will have to be closed to the public for the temporary equipment storage will not have a significant adverse impact on public access or recreation.

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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. 6-04-140 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 as conditioned 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 and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act. 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 following Special Conditions Nos. 2 and 4 for Coastal Development Permit 6-04-140-A1 shall replace Special Conditions Nos. 2 and 4 of Coastal Development Permit No. 6-04-140 in their entirety (see Exhibit #3 for the complete condition language).

2. Protection of Water Quality - During Construction. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. The applicant shall implement the approved Construction Best Management Practices Plan on the project sites prior to and concurrent with the project staging, demolition and construction operations. The BMPs shall be maintained throughout the development process.

A. Said plan shall include the following requirements:

[...]



(iii) No overnight storage of equipment or materials shall occur in public parking spaces; however, necessary building materials and supplies can be stored in secured areas at the construction sites on the beach, using the minimum area necessary.

[...]

4. Storage and Staging Areas/Access Corridors. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of access corridors to the construction site and staging areas. The final plans shall indicate that:

- a) No overnight storage of equipment or materials shall occur in public parking spaces; however, necessary equipment, building materials and supplies can be stored in secured areas at the construction sites on the beach, using the minimum area necessary.

[...]

### III. Findings and Declarations.

The Commission finds and declares as follows:

1. Project History/Amendment Description. In July 2005, the Commission approved of demolition and replacement of the City of Coronado's old lifeguard tower/station, and construction of a new restroom facility. The new 1,189 sq.ft. tower will consist of a main tower approximately 35 feet high at roof top, with an approximately 6-foot high antenna, and a 17-foot high secondary building, also with an antenna, attached to the landward side of the proposed tower. The tower will be located in essentially the same location as the old tower, on Central Beach seaward of the intersection of Ocean Boulevard and Isabella Street, approximately 280 feet seaward of the existing rock revetment along Ocean Boulevard. A 1,323 sq.ft. concrete apron will surround the building. A new, partially buried seawall would be located on the seaward side of the apron. The seawall will extend approximately 36 inches above the proposed concrete apron.

The permit was approved with special conditions that included the following:

2. Protection of Water Quality - During Construction. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. The

applicant shall implement the approved Construction Best Management Practices Plan on the project sites prior to and concurrent with the project staging, demolition and construction operations. The BMPs shall be maintained throughout the development process.

A. Said plan shall include the following requirements:

(i) No construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.

[...]

(iii) No overnight storage of mechanized equipment is allowed on the beach during the summer season (Memorial Day through Labor Day weekend of any year).

4. Storage and Staging Areas/Access Corridors. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of access corridors to the construction site and staging areas. The final plans shall indicate that:

a) No overnight storage of equipment or materials shall occur on sandy beach during the summer season (Memorial Day weekend and Labor Day of any year), or public parking spaces.

Since the permit was approved, construction has begun on both the lifeguard tower and the restroom. However, construction delays have pushed the completion date approximately two months later than originally anticipated. Therefore, the proposed amendment would allow overnight storage of equipment and/or materials on the beach during the summer season.

The City of Coronado has a fully certified Local Coastal Program (LCP) and issues its own coastal development permits. However, Central Beach is operated by the City of Coronado under a lease from the State Lands Commission (Lease #PRC 3691.1). Because the site is located on State tidelands, the site is under the Commission's original jurisdiction and has been designated as such on the City of Coronado's Post-Certification and Appeals Map. Therefore, Chapter 3 of the Coastal Act is the standard of review.

2. Public Access/Recreation. The following sections of the Coastal Act are applicable to the proposed project and state, in part:

#### Section 30210

In carrying out the requirements 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 the public safety needs and the need to protect public rights, rights of private property owners, and natural resources 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 30604 (c) of the Coastal Act requires that in order to issue a coastal development permit for any development between the sea and the nearest public road paralleling the sea, the Commission must specifically find that the permitted development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. In this case, as conditioned, such a finding can be made.

The beach is a heavily utilized recreational amenity, and construction activities on the beach during the busy summer months, when beach attendance is at its greatest demand, can significantly impact public access. Thus, the Commission frequently limits construction and staging and storage activities from occurring on the beach during the summer. In the case of the proposed project, the City had determined that the majority of construction would be completed outside the summer season, however, given the expected length of construction, some work, mostly on the interior of the building, was expected to be required during the summer. Because of the public recreational benefits of the proposed project, Special Condition #4 of the original permit allows work to take place during the summer, but not during the peak use periods of weekends and holidays.

With regard to storage of equipment, because some of the work involves installing pile foundations using large, slow-moving equipment that is difficult to reposition, the City requested that on occasion, equipment be allowed to remain on the beach overnight. Thus, Special Conditions #2 and #4 of the original permit allow equipment to remain on the beach overnight, except during the summer season, when the potential for impacts to recreation are highest.

Since the permit was approved, construction has begun on both the lifeguard tower and the restroom. However, the City has indicated that delays involving both the lifeguard tower and the restroom will push their completion date beyond Memorial Day. Delays in receiving building materials, plan changes, including a redesigned pile footprint for the lifeguard tower (that did not involve any above ground changes), and mechanical equipment failures have resulted in installation falling approximately two months behind schedule. As a result, there will be several construction tasks which will require that mechanical equipment on the beach after Memorial Day. These include construction of the third floor of the tower. This is a concrete floor with some masonry and steel framing for the walls. Due to the inability to drive concrete trucks across the beach, pumping trucks will be staged on Ocean Boulevard and a hose routed to the tower. In addition, a crane will be positioned inside the construction enclosure. The existing construction

fencing will remain in place until the exterior scaffolding is removed and the building can be secured. Additional work will also be required at the restroom.

Currently the two construction sites maintain a security fence around their perimeters. Within that fence the contractor is storing masonry block and reinforcing for the tower. As the construction develops, there will be additional materials such as metal studs, drywall, doors, cabinets, windows, stairs and finish materials stored inside or outside depending on the availability of space and the sequence of work. Machinery anticipated on the beach will include forklifts to bring supplies from the street and a crane to lift the structural steel components to the roof. The construction trailer located adjacent to the new restroom would remain for the duration of the construction. Thus, the City has requested that this material and equipment be allowed to remain on the beach throughout the summer, if necessary.

Although allowing staging and storage of equipment on the beach during the summer season can potentially impact the ability of the public to use the beach, in the case of the proposed project, allowing the equipment to stay on the beach will allow the City to complete construction of the lifeguard tower and public restroom as soon as possible. These structures are valuable public recreational amenities. Even if construction were halted during the summer to avoid the need to store equipment on the beach, the partially constructed tower would still have to be fenced off and secured. The beach at Coronado is very wide and broad, and the limited amount of area that will have to be closed to the public for temporary equipment storage will not have a significant adverse impact on public access or recreation, and it will allow the lifeguard tower to become operable during the peak beach use season.

Therefore, Special Conditions #2 and #4 have been revised to allow that this material and equipment be allowed to remain on the beach through the summer season. As currently required, the equipment must be stored and kept in such a manner to reduce public access impacts and prevent any impacts to water quality. The proposed amendment does not affect any other prior conditions of approval of the permit 6-04-140, which will remain in full force and effect.

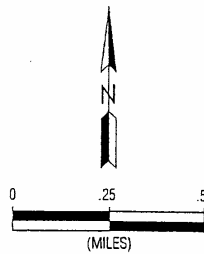
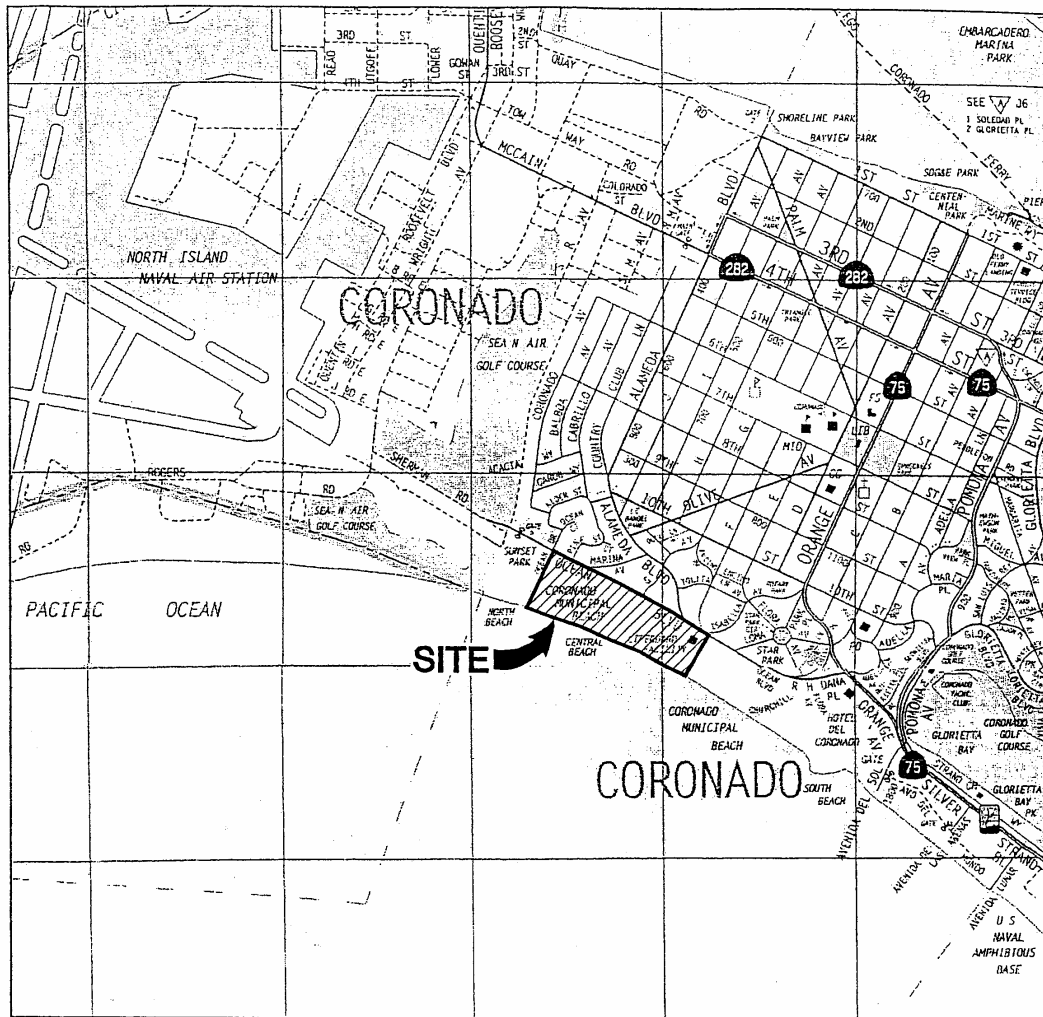
3. Local Coastal Planning. The City of Coronado has a certified LCP and has assumed permit-issuing authority for the majority of the City, all of which is in the coastal zone. The site of the subject proposal, however, is located in an area that is subject to the Commission's original permit jurisdiction because it is located on public trust lands. Thus, Chapter 3 of the Coastal Act is the standard of review. The subject site is designated "beach" in Coronado's certified LCP. As discussed above and as conditioned, the proposed work on the lifeguard tower and restroom can be found consistent with this designation. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of Coronado to continue implementation of its certified LCP.



4. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development 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.

As previously discussed, the proposed project will not cause significant adverse impacts to the environment. The City of Coronado approved a negative declaration for the project on September 7, 2004. The project, as conditioned, is consistent with the public access and recreation policies of the Coastal Act. As conditioned, 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, as conditioned, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.



**KLEINFELDER**

5015 SHOREHAM PLACE  
SAN DIEGO, CALIFORNIA 92122

CHECKED BY: JMK  
PROJECT NO. 34096

FN: 34096VIC  
DATE: 09/2003

VICINITY MAP

CORONADO BEACH IMPROVI  
CORONADO, CALIFORNIA

EXHIBIT NO. 1

APPLICATION NO.

**6-04-140-A1**

Location Map





SCALE: 1" = 150'

**OVERALL BEACH SITE PLAN**  
29 September 2004

CORONADO, CALIFORNIA



California Coastal Commission

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**CALIFORNIA COASTAL COMMISSION**

San Diego Coast Area Office  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4421  
(619) 767-2370

**FILE COPY**

Page: 1

Date: July 27, 2005

Permit Application No.: 6-04-140

**COASTAL DEVELOPMENT PERMIT**

On July 15, 2005, the California Coastal Commission granted to

**City of Coronado, Attn: William H Cecil**

this permit subject to the attached Standard and Special conditions, for development consisting of

**Demolition of an existing 30-foot high, 534 sq. ft. lifeguard tower and construction of a new 35-foot high, 1,050 sq. ft. lifeguard tower/station in the same location on Central Beach, and construction of a new 790 sq. ft. restroom facility on sandy beach at North Beach. The lifeguard station includes construction of a seawall west of the structure.**

more specifically described in the application filed in the Commission offices.

The development is within the coastal zone at

**Central Beach and North Beach, Coronado, (San Diego County)**

Issued on behalf of the California Coastal Commission by

PETER M. DOUGLAS  
Executive Director

*Diana Lilly*  
By: Diana Lilly  
Coastal Program Analyst

**ACKNOWLEDGMENT:**

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part that: "A Public entity is not liable for injury caused by the issuance. . . of any permit. . ." applies to the issuance of this permit.

**IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).**

\_\_\_\_\_  
Date\_\_\_\_\_  
Signature of Permittee

EXHIBIT NO. 3
APPLICATION NO.
<b>6-04-140-A1</b>
Original Permit
California Coastal Commission



**COASTAL DEVELOPMENT PERMIT**

Date: July 27, 2005

Permit Application No.: 6-04-140

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**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.

**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 to the Executive Director for review and written approval, final site plans for the proposed lifeguard tower and restrooms. The final plans shall be in substantial conformance with the plans by Munroe and Orsa Architects, Inc 11/29/04, and shall include the following notes:

- a) No advertising shall be permitted on the approved structures;
- b) Clocks, temperature displays, or other safety information may be located on the façade of the approved structures.
- c) Any fill material used during construction shall be clean, beach compatible material with no rubble, organics, or other debris.
- d) During construction of the approved development, disturbance to sand and intertidal areas shall be minimized to the maximum extent feasible. All excavated beach sand shall be redeposited on the beach. Local sand, cobbles or shoreline rocks shall not be used for backfill or for any other purpose as construction material.

**COASTAL DEVELOPMENT PERMIT**

Date: July 27, 2005

Permit Application No.: 6-04-140

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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 legally required.

2. Protection of Water Quality - During Construction. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. The applicant shall implement the approved Construction Best Management Practices Plan on the project sites prior to and concurrent with the project staging, demolition and construction operations. The BMPs shall be maintained throughout the development process.

A. Said plan shall include the following requirements:

- (i) No construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- (ii) Any and all refuse and debris resulting from construction and demolition activities shall be removed from the project site within 72 hours of completion of demolition and construction. Construction and demolition debris and sediment shall be removed from or contained and secured within work areas each day that construction or demolition occurs to prevent the accumulation of sediment and other debris that could be discharged into coastal waters. All demolition/construction debris and other waste materials removed from the project site shall be disposed of or recycled in compliance with all local, state and federal regulations. No debris or other waste materials shall be placed in coastal waters or be allowed to move into coastal waters. If a disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
- (iii) No overnight storage of mechanized equipment is allowed on the beach during the summer season (Memorial Day through Labor Day weekend of any year).
- (iv) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction and demolition activities. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean
- (v) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and kept as far away from a storm drain inlet and receiving waters as possible.

**COASTAL DEVELOPMENT PERMIT**

Date: July 27, 2005

Permit Application No.: 6-04-140

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B. The required Construction Best Management Practices Plan for the project site shall also include the following BMPs designed to prevent spillage and/or runoff of construction and demolition-related materials, sediment, or contaminants associated with construction activity. The applicant shall:

(i) Develop and implement spill prevention and control measures and shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The fueling and maintenance area shall be located as far away from the receiving waters and storm drain inlets as possible and shall not be located on the beach if at all possible. If fueling or maintenance is proposed to be on the beach then the applicant shall submit a plan showing how there is essentially no possibility of contaminating beach materials through those operations.

(ii) Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters, and more than fifty feet away from a storm drain, open ditch or surface waters.

(iii) Provide and maintain adequate disposal facilities for solid waste, including excess concrete, produced during construction.

(iv) Provide and maintain temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence or hay bales, and silt fencing.

(v) Stabilize any stockpiled fill with geofabric covers or other appropriate cover, and close and stabilize open trenches as soon as possible.

(vi) Prior to final inspection of the proposed project the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product was deposited on the beach or at any beach facility. If such residues are discovered, the residues and all contaminated sand shall be reported to the Executive Director in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

The Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition shall be attached to all final construction plans. The permittee shall undertake the approved development in accordance with the Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Construction Best Management Practices Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**COASTAL DEVELOPMENT PERMIT**

Date: July 27, 2005

Permit Application No.: 6-04-140

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3. Protection of Water Quality - Project Design & Post Construction. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. The plan shall be in conformance with the following requirements:

**A. Water Quality Goals.**

- (i) Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site, without the construction of drain outlets onto the beach.
- (ii) If the applicant uses post-construction structural BMPs (or suites of BMPs), they should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (iii) Runoff from all parking areas, maintenance areas, and driveways shall be collected and directed through a system of appropriate structural and/or non-structural BMPs. The filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

**B. Monitoring and Maintenance**

All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: 1) prior to October 15th each year; 2) during each month between October 15<sup>th</sup> and April 15<sup>th</sup> of each year and, 3) at least twice during the dry season (between April 16 and October 14).

- (i) Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (ii) All inspection, maintenance and clean-out activities shall be documented in an **annual report** submitted to the Executive Director no later than June 30th of each year. This report shall be submitted for the first three years following the completion of development.
- (iii) It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.



**COASTAL DEVELOPMENT PERMIT**

Date: July 27, 2005

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The permittee shall undertake and maintain the approved development in accordance with the Water Quality Management Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Water Quality Management Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. Storage and Staging Areas/Access Corridors. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of access corridors to the construction site and staging areas. The final plans shall indicate that:

- a) No overnight storage of equipment or materials shall occur on sandy beach during the summer season (Memorial Day weekend and Labor Day of any year), or public parking spaces.
- b) Access corridors shall be located in a manner that has the least impact on public access to and along the shoreline via Ocean Boulevard. Beach access at Central Beach and North Beach shall remain open during construction.
- c) No work shall occur on the beach on weekends and holidays.
- d) 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 unless the Executive Director determines that no amendment is legally required.

5. Exterior Treatment. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT**, the applicant shall submit for the review and approval in writing of the Executive Director, a final color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed lifeguard tower and restrooms, in substantial conformance with the colored plans dated 11/29/04 by Munroe and Orsa Architects, Inc. The color of the structures and roofs permitted hereby shall be restricted to colors compatible with the surrounding environment with no bright tones except as minor accents. All windows shall be comprised of non-glare glass.

**COASTAL DEVELOPMENT PERMIT**

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The permittee shall undertake the development in accordance with the color board. Any proposed changes to the approved color board shall be reported to the Executive Director. No changes to the color board that result in either building taking on a substantially different appearance inconsistent with the surrounding environment shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. State Lands Commission Review. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall obtain a copy of written authorization to construct the proposed development from the State Lands Commission.

7. Assumption of Risk, Waiver of Liability and Indemnity Agreement

A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

B. **PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special Conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

**COASTAL DEVELOPMENT PERMIT**

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**8. No Future Seaward Extension of Shoreline Protective Device: Lifeguard Tower**

A. By acceptance of this Permit, the applicant agrees, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protective device for the lifeguard tower approved pursuant to Coastal Development Permit No. 6-04-140, as described and depicted on an Exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit, shall be undertaken if such activity extends the footprint seaward of the subject shoreline protective device. By acceptance of this Permit, the applicant waives, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, any rights to such activity that may exist under Public Resources Code Section 30235.

B. Prior to the issuance by the Executive Director of the **NOI FOR THIS PERMIT**, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description and graphic depiction of the shoreline protective device approved by this permit, as generally described above and shown on Exhibit #5 attached to this staff report, showing the footprint of the device and the elevation of the device referenced to NGVD (National Geodetic Vertical Datum).

**9. No Future Bluff or Shoreline Protective Device: Restroom**

A. By acceptance of this Permit, the applicant agrees, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the restrooms approved pursuant to Coastal Development Permit No. 6-04-140 including, but not limited to, the building, walkway, apron, and shower area in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this Permit, the applicant hereby waives, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

B. By acceptance of this Permit, the applicant further agrees, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, that the landowner shall remove the development authorized by this Permit, including the surrounding walkways, if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above.