

CALIFORNIA COASTAL COMMISSION

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



Th6c

Filed: 11/23/10
49th Day: 1/1/11
180th Day: 5/22/11
Staff: MA-SD
Staff Report: 12/17/10
Hearing Date: 1/12-14/11

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-10-086

Applicant: SeaWorld of California

Agent: Patrick Owen

Description: Update of the Shamu Killer Whale Show involving modifications to the existing performance stage set, new lights and fountains

Site: 500 SeaWorld Drive, Mission Bay Park, San Diego, San Diego County.
APN 760-037-01

Substantive File Documents: Certified Mission Bay Park Master Plan, including SeaWorld Master Plan

Standard of Review: Chapter 3 policies of the Coastal Act.

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

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

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

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

II. Standard Conditions.

See attached page.

III. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is an update of the existing Shamu Show performance stage set, located within the SeaWorld theme park in Mission Bay Park. The proposed update will be limited to the installation of 12 new jet fountain effects to be placed around the perimeter of the existing Shamu performance pool in alignment with the pool wall stanchions, the application of a sculptural relief ‘Sea of Life Creatures’ on a portion of the stage’s existing structural framework, the installation of two new L.E.D. matrices located on the center wall and awning and also on the front face of the existing fluke stage structure, and the construction of a ‘wave wall’ made of dimensional framing covered with a combination of acrylic, mesh, and scrim materials.

The proposed development will not increase the existing venue capacity of the Shamu Show, nor will it expand the footprint of any existing site facilities. Thus, the proposal will not adversely affect traffic on surrounding streets or require additional parking. The subject area of the SeaWorld Park is a long established and wholly developed venue and, as such, the proposed development will not require modifications to existing site utilities or on-site storm water treatment facilities. In addition, the proposed stage modifications will not extend above the 30 ft. height limit (and will not be any higher than the existing stage set) and will not be visible from anywhere outside the enclosed theme park, due to the Shamu Show site’s proximity to existing structures and various SeaWorld facilities.

The proposed upgrade to the “Shamu show” requires a coastal development permit because it consists of significant non-attached improvements located between the sea and first coastal roadway (SeaWorld Drive). Although there is a certified master plan for SeaWorld, which is itself a part of the certified Mission Bay Park Master Plan, these documents are land use plans only; no implementation component has been proposed for Mission Bay Park. Thus, the area remains an area of deferred certification, with the Coastal Commission retaining coastal development permit authority. Chapter 3 of the Coastal Act is the legal standard of review and the land use plans are used as guidance.

B. Community Character /Visual Quality. The development is located within an existing developed area and will be compatible with the character and scale of the surrounding area, and will not impact public views. Therefore, the Commission finds that the development conforms to Section 30251 of the Coastal Act.

C. Public Access/Parking. The proposed development will not have an adverse impact on public access to the coast or to other nearby recreational facilities. The proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

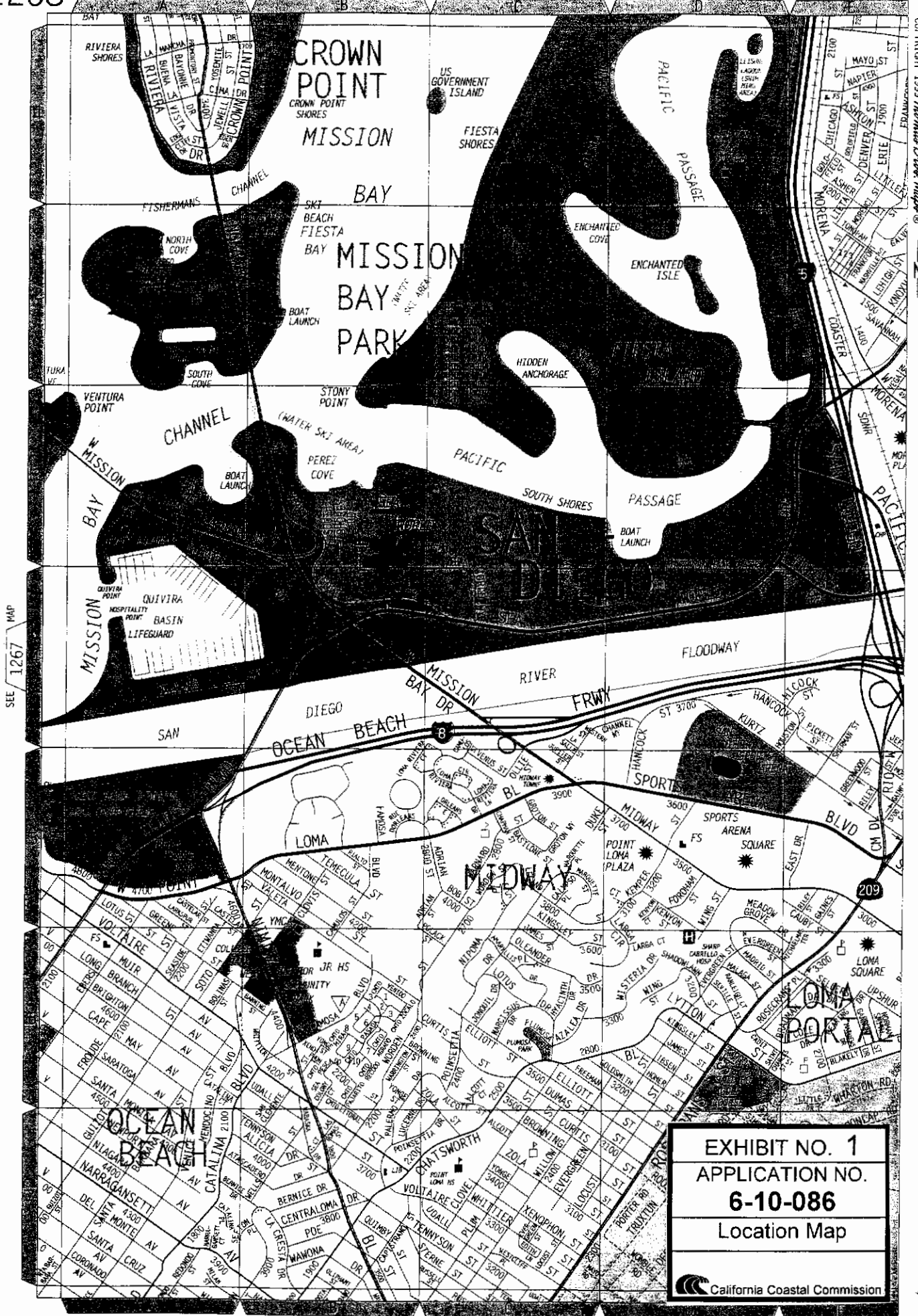
D. Local Coastal Program. The LUP for the Mission Bay Park segment of the City of San Diego LCP was certified on May 11, 1995, but no implementation plan has been developed as yet, and Chapter 3 of the Coastal Act remains the legal standard of

review. As proposed, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project will not prejudice the ability of the City of San Diego to complete a Local Coastal Program that is in conformity with the provisions of Chapter 3.

E. California Environmental Quality Act. The City determined that the proposed development was categorically exempt from CEQA. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

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.



SEE 1267 MAP

<p>EXHIBIT NO. 1 APPLICATION NO. 6-10-086 Location Map</p>
<p>California Coastal Commission</p>



SAN DIEGO - CONCEPTUAL RENDERING

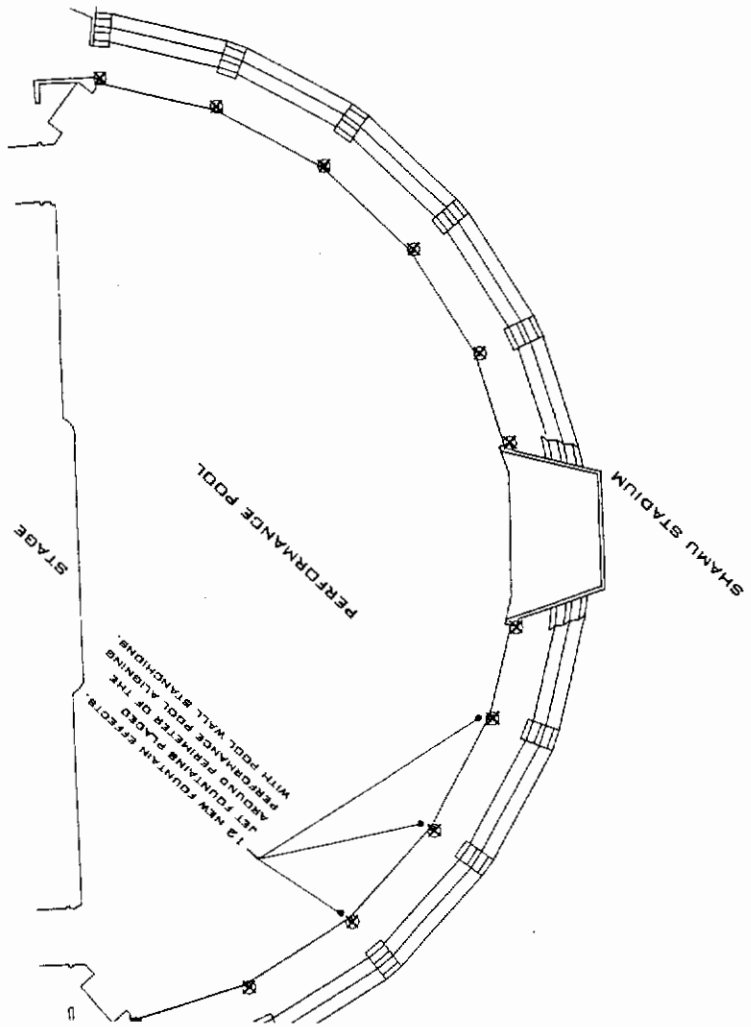
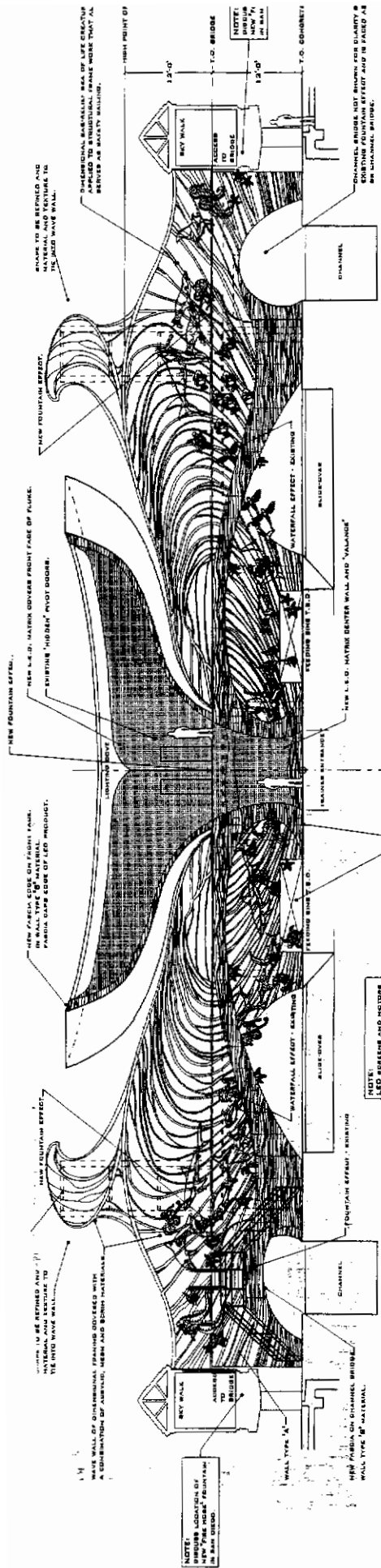


EXHIBIT NO. 2
APPLICATION NO. 6-10-086
Site Plans
Page 1 of 2
 California Coastal Commission



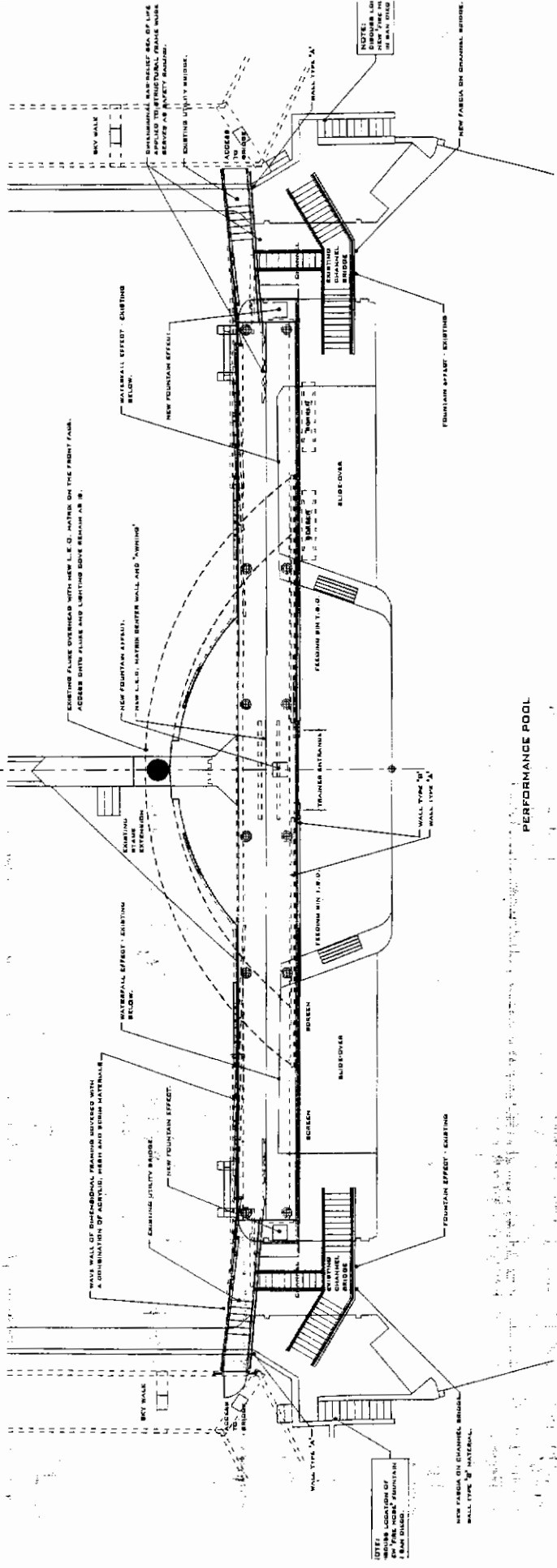
WAVE WALLS
 WAVE WALL OF DIMENSIONAL FRAMING COVERED WITH
 CONCRETE OF ADVANCED GRADE AND FINISHED WITH
 AN OBERON FINISH. WALL TYPE 'A' IS TO BE USED
 THROUGHOUT THE PROJECT. WALL TYPE 'B' IS TO BE
 USED IN THE MAIN AREAS OF THE PROJECT. WALL
 TYPE 'C' IS TO BE USED IN THE MAIN AREAS OF
 THE PROJECT. WALL TYPE 'D' IS TO BE USED
 IN THE MAIN AREAS OF THE PROJECT.

WALL TYPE 'A'
 DIMENSIONAL FRAMING SIMILAR TO WAVE WALLS ABOVE, BUT
 FINISHED WITH A CONCRETE OF ADVANCED GRADE AND
 FINISHED WITH AN OBERON FINISH. WALL TYPE 'A'
 IS TO BE USED THROUGHOUT THE PROJECT. WALL
 TYPE 'B' IS TO BE USED IN THE MAIN AREAS OF
 THE PROJECT. WALL TYPE 'C' IS TO BE USED
 IN THE MAIN AREAS OF THE PROJECT. WALL
 TYPE 'D' IS TO BE USED IN THE MAIN AREAS
 OF THE PROJECT.

WALL TYPE 'B'
 CONCRETE OF ADVANCED GRADE "SUPER" TYPE MATERIAL,
 FINISHED WITH A CONCRETE OF ADVANCED GRADE
 AND FINISHED WITH AN OBERON FINISH. WALL TYPE
 'B' IS TO BE USED THROUGHOUT THE PROJECT. WALL
 TYPE 'C' IS TO BE USED IN THE MAIN AREAS OF
 THE PROJECT. WALL TYPE 'D' IS TO BE USED
 IN THE MAIN AREAS OF THE PROJECT.

SAN DIEGO - FRONT ELEVATION SCHEMATIC

SCALE: 1/8" = 1'-0"



SAN DIEGO - STAGE PLAN SCHEMATIC

SCALE: 1/8" = 1'-0"

PERFORMANCE POOL

SAN DIEGO - STAGE PLAN SCHEMATIC