

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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W24a

Addendum

August 12, 2013

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item W24a**, Coastal Commission Permit Application
#6-86-396-A12 (Symphony Asset Pool XVI, LLC), for the Commission
Meeting of August 14, 2013

Staff recommends the following changes be made to the above-referenced staff report:

1. On Page 1 of the staff report, modify the "Applicant" description as follows:

Symphony Asset Pool XVI, LLC (a subsidiary of Pacifica Real Estate Services, Inc.)

2. On Page 1 of the staff report, modify the "Proposed Amendment" description as follows:

Construction of three rooftop decks of 2,437 sq. ft., 3,992 sq. ft., and 4,993 sq. ft. on existing Buildings 5 (restaurant), 7 (mixed retail/restaurant), and 8 (athletic facility), respectively, addition of 1,467 sq. ft. of interior space to Building 8, and interior renovation and installation of glass façade on Building 5.

3. On Page 11 of the staff report, modify the fourth paragraph as follows:

After discussions with Commission staff, the applicant conducted an updated survey of the current amount of leasable space within Belmont Park and the number of parking spaces that leasable space requires under the underlying permit's parking formula. The applicant's survey found that, including all of the proposed roof deck and interior square footage from this current amendment application, the total amount of leasable space is 106,436 square feet (both restaurant and commercial retail). Subtracting the square footage of the athletic facility that was exempted back in the underlying 1986 CDP (and thus not subtracting the athletic facility square footage currently being proposed), the total leasable square footage requiring parking is 88,522 square feet: approximately 34,129 square feet of restaurant space and 54,393 square feet of retail space.

Under the Commission-approved parking ratio, this leads to parking requirements of $34,129/200 = 171$ spaces and $54,393/400 = 136$ spaces. Applying the restaurant and commercial retail ratios produces a parking requirement of 307 parking spaces, 14 spaces less than the 321 spaces currently available on-site.

4. On Page 15 of the staff report, add the following paragraph after the second paragraph:

Currently located on the interior wall separating the athletic facility in Building 8 from the Plunge pool facility in Building 9 is a mural of whales painted by the artist Robert Wyland in 1989. The mural is located on the Plunge side of the interior wall, out of public view except for glimpses offered through windows around the Plunge pool. According to the applicants, the proposed interior space being added to the Building 8 athletic facility will necessitate the removal of portions of the mural, mostly along its top third and a vertical middle section. Some local residents and Plunge patrons have raised this as an issue suggesting that the applicants should be protecting the mural. However, the mural is not listed on any historic registry, and the applicants have indicated that the Plunge facility is in need of substantial repair and maintenance in the future, which, independent of the proposed project, would have necessitated removal portions of the mural. As the removal of the mural in and of itself does not constitute development requiring a coastal development permit and because its removal does not raise any Coastal Act issues, this permit is not conditioned so as to address it.

**Agenda Item: 24a
Application No. 6-86-396-12
Mission Beach Precise Planning Board
Opposed to Amendment Request**

To: California Coastal Commissioners

From: Debbie Watkins, Chair, Mission Beach Precise Planning Board

Date: August 8, 2013

Re: 3146 Mission Boulevard, San Diego, California (Pacifica Real Estate Services, Inc.)
Construction of Three Rooftop Decks at Belmont Park

Dear Honorable Commissioners:

On behalf of the Mission Beach Precise Planning Board ("MBPPB"), the City's recognized community planning group for the Mission Beach community, we would like to request that this Amendment Request be sent back to the City of San Diego for further review by the MBPPB and the Mission Beach community before a final permit is granted by the City.

The process that has been followed by leaseholders of Belmont Park when any material changes were being considered was to present these changes to the MBPPB and Mission Beach Town Council ("MBTC") to gain support from the community. In this case, principals of Pacifica Real Estate Services, Inc. only presented "conceptual plans" to add a rooftop deck and valet parking to the MBPPB and wanted our support of these plans. At that time, no detailed plans were discussed or presented, and there was no mention of tearing down walls for storage. In fact, the MBPPB sent a letter of support of the "conceptual plans only" and requested another opportunity to determine whether it would support the plans when details of the roof-top deck were worked out. At that time, only Building 8 was the targeted area. [A copy of the MBPPB's letter dated May 15, 2013 is attached hereto for your review.] Now, we learn there are four (4) buildings involved.

In addition, a high level of public interest and concern has been expressed regarding the proposed destruction of a wall in Building 8, which is the Plunge and Athletic Club Building, and loss of a Wyland mural entitled "Orcas off Point Loma" inside the Plunge Building. Many people have enjoyed this beautiful work of art over the past 24 years and do not want to see it demolished. This Wyland mural, on the south end of the interior plunge wall, is 140 feet long and 40 feet high and was gifted to the City Of San Diego in 1989. It is one of three (3) murals in San Diego, including one at Sea World and one on the San Diego National Bank Building on Kettner Boulevard.

In conclusion, we hope you will send this Amendment Request back to the City of San Diego for further review by the MBPPB and the Mission Beach community before a final permit is granted by the City as this change does not warrant a "discretionary approval" from the City when material changes are being proposed and concerns are expressed regarding the outcome of the Wyland mural.

Respectfully submitted.

Attachment

cc. Alex Llerandi, Coastal Program Analyst

Letter of Opposition 9

Mission Beach Precise Planning Board
c/o 713 Isthmus Court • San Diego, CA 92109
(858) 344-1684 • dkwatks@aol.com

May 15, 2013

via e-mail

Daniel M. Hayden, P.E.
Director of Engineering
Pacifica Real Estate Services, Inc.
5505 Cancha de Golf
Rancho Santa Fe, CA 92091

Re: Letter of Support: Belmont Park Conceptual Plans for Valet Parking
and Roof-top Access to Plunge and Athletic Club

Dan:

Thank you for presenting the details of your conceptual plans to add valet parking and roof-top access to the Plunge and Athletic Club building at the Mission Beach Precise Planning Board ("MBPPB") Meeting on April 16, 2013, and giving us the opportunity to comment.

As you know, the Board voted 10-0-0 to send a letter of support of the conceptual plans discussed at our meeting.

The MBPPB supports the proposed conceptual improvements to add paid valet parking operated as part of the Belmont Park leasehold. It is our understanding the location of the valet parking lot, the hours, and operation of the valet parking program will be determined at a later date. Also, additional/re-stripped parking spaces will be provided so the proposed valet parking will be added to the minimum parking requirements per the existing CDP. When the details of the operation are worked out, the Board requests another opportunity to determine whether it supports the plans for valet parking beyond the conceptual phase.

With regard to roof-top access to the Plunge and Athletic Club building, the MBPPB supports the concept of converting the existing rooftops of the Athletic Club (Bldg. 8 - approx. 5,500 sq. ft.) and Plunge (Bldg. 9 - approx. 3,500 sq. ft.) to usable roof deck space. It is our understanding the proposed roof deck will be utilized as public observation decks and ancillary commercial use of the Athletic Club and Wave House. When the details of the roof-top deck space are worked out, the Board requests another opportunity to determine whether it supports the plans for roof-top access beyond the conceptual phase.

The MBPPB looks forward to working with you in your efforts to improve the Belmont Park experience for Mission Beach residents, City of San Diego beachgoers, and tourists.

Best regards,

/s/
Debbie Watkins, Chair
Mission Beach Precise Planning Board

10

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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W24a

Filed: 6/14/13
180th Day: 12/11/13
Staff: A. Llerandi-SD
Staff Report: 7/25/13
Hearing Date: 8/14-16/13

STAFF REPORT: AMENDMENT REQUEST

Application No.: 6-86-396-A12

Applicant: Symphony Asset Pool XVI, LLC

Agent: Colkitt & Co. Architects

Location: 3146 Mission Blvd., San Diego, San Diego County
(APN No. 760-217-07)

Description of Original Permit Approval 6-86-396: Demolition of roller rink building and annexes to Mission Beach Plunge, reconstruction of indoor swimming pool room, and construction of eight (8) new buildings, totaling 70,000 sq. ft. of floor area, and other improvements.

Proposed Amendment: Construction of three rooftop decks of 2,437 sq. ft., 3,992 sq. ft., and 4,993 square feet on existing Buildings 5, 7, and 8, respectively, addition of 1,467 sq. ft. of interior space to Building 8, and interior renovation and installation of glass façade on Building 5.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of this project, with conditions. The proposed project is to construct three rooftop decks of 2,437 square feet, 3,992 square feet, and 4,993 square

feet on existing Buildings 5, 7, and 8, respectively, to add 1,467 square feet of interior space to Building 8, and install a glass façade over the southern and western faces of Building 5. The project site is Belmont Park, a commercial retail and recreation leasehold on public land adjacent to the Mission Beach boardwalk in the Mission Beach community of the City of San Diego.

The proposed project raises issues regarding intensity of use, parking, transportation demand management, and visual resources. Intensity of use and parking issues arise due to the increased square footage and likelihood to attract greater patronage on-site. Transportation demand issues arise due to the increase intensity of use's likelihood to increase public attendance, which in turn has the potential to increase the number of vehicles in what is an already popular and high-traffic area. Visual resource issues arise due to the unique architectural character of Belmont Park and its location directly adjacent to the beach.

Recommended special conditions include requiring the applicant to submit revised plans containing signage that indicates that the roof deck on Building 7 will be open to the public for free use when not rented out, final plan submittal to ensure that only the approved square footage that can be supported by existing parking is installed, limits on construction access and scheduling so as to avoid heavy public use periods, and transportation demand management plan to encourage alternative transportation to Belmont Park. With these conditions, impacts on coastal resources will be minimized or eliminated, consistent with Chapter 3 policies of the Coastal Act.

Commission staff recommends **approval of** coastal development permit amendment 6-86-396-A12, as conditioned.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....	4
II. SPECIAL CONDITIONS.....	5
III. FINDINGS AND DECLARATIONS.....	7
A. PROJECT DESCRIPTION/HISTORY.....	7
B. PUBLIC ACCESS/PARKING/TRAFFIC.....	9
C. VISUAL RESOURCES/COMMUNITY CHARACTER.....	13
D. LOCAL COASTAL PLANNING.....	15
E. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	16

EXHIBITS

Exhibit 1 – Location Map

Exhibit 2 – Aerial View

Exhibit 3 – Building 5 façade plan

Exhibit 4 – Building 5 roof deck plan

Exhibit 5 – Building 7 roof deck plan

Exhibit 6 – Building 8 roof deck and addition plan

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the proposed amendment to Coastal Development Permit No. 6-86-396 pursuant to staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit 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:

The Commission hereby approves the coastal development permit amendment on grounds that the development as amended subject to conditions will be in conformity with Chapter 3 policies of the Coastal Act and the certified local coastal program. 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 development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

PROCEDURAL NOTE:

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

1. The Executive Director determines that the proposed amendment is a material change,
2. Objection is made to the Executive Director's determination of immateriality, or
3. The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

In this case, the Executive Director has determined that the proposed amendment is a material change to the previously approved project. If the applicant or object so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. [Title 14 California Code of Regulations, section 13166]

II. SPECIAL CONDITIONS

The permit is subject to the following conditions:

1. **Final Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit final project plans to the Executive Director for review and written approval. Said plans shall be in substantial conformance with the plans drafted by Colkitt & Co. Architects and submitted to the Coastal Commission.

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. **Public roof access/signage plan.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval a signage plan for the roof deck atop Building 7 that includes the following:

- a. Posted signage at the entrance to the roof deck atop Building 7 indicating that the roof deck is open to the public for free use when the deck is not in use as a rental space.

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.

3. **Transportation Demand Management (TDM) Program.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit a Transportation Demand Management Program to the Executive Director for review and written approval. Said program shall include, at a minimum, the following provisions:

- a. Installation of at least 3 bike racks at various locations throughout Belmont Park.
- b. The permittee shall provide incentives for employees of the applicant or on-site lessees to use public transportation, including the provision of subsidized public transit passes to employees and including a clause in all future leases that requires lessees to offer such incentives to their employees;

- c. The permittee shall draft and implement a carpool plan for employees of the applicant or on-site lessees and will reasonably coordinate with lessees in scheduling work schedules and posting notices of the carpool program in employee work areas:
- d. Information regarding the carpool program or subsidized public transportation shall be part of any employment paperwork for employees of either the applicant or lessees.
- e. The permittee shall undertake annual surveys of employees to document the frequency with which they are using alternate transportation to get to work and the success of the Transportation Demand Management Program. Surveys shall be submitted annually to the Executive Director for as long as this permit is in effect.

The permittee shall undertake the development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. **Construction Access/Staging Area.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit to the Executive Director for review and written approval final construction staging and storage plans that avoid the use of public parking spaces for development work.

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. **Timing of Development.** No development activity may occur between Memorial Day and Labor Day of any year.
6. **Prior Conditions of Approval.** All other terms and conditions of Coastal Development Permit No. 6-86-396, as amended, not specifically modified herein, shall remain in full force and effect.

III. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION/HISTORY.

The proposed project is to construct three rooftop decks of 2,437 square feet, 3,992 square feet, and 4,993 square feet atop existing Buildings 5, 7, and 8, respectively, to add 1,467 square feet of interior space to Building 8, and install a glass façade over the southern and western faces of Building 5. The project site is Belmont Park, a leasehold on public land adjacent to the Mission Beach Boardwalk in the Mission Beach community of the City of San Diego that is bounded to the north by Ventura Place, to the east by Mission Boulevard, to the South by the parking lot for Mission Bay Park, and to the west by the Mission Beach Boardwalk and the beach. Today, Belmont Park is comprised of the Plunge pool building and attached athletic facility, surrounded by seven structures, various amusement rides (roller coaster, carousel, etc.), and public parking lots.

Mission Beach Park was originally developed in 1925 by John D. Spreckles. Approximately 10 acres of the total 18.7 acre site was once the “Belmont Amusement Park” site. Over the years the site came in the ownership of the City of San Diego as four separate parcels.

In January, 1983, the Coastal Commission approved with suggested modification the resubmitted Mission Beach Park General Development Plan. That plan called for retention of the entire Plunge building and also addressed retention of the roller rink building. The swimming pool portion of the Plunge building had remained operational throughout the years, but the roller rink building was not used at the time. The remainder of the site (excluding the roller coaster, which had been leased to the Save the Coaster Committee and was being restored) was designated for landscaping, parking, restrooms, lifeguard services, etc. The plan did allow for limited commercial uses within the existing Plunge building.

On November 15, 1984, the Coastal Commission approved with suggested modifications the resubmitted (for the third time) Mission Beach Precise Plan and Planned District Ordinance. The previous approval of the Mission Beach Park General Development Plan was not altered in that action.

On September 10, 1986, the Coastal Commission approved a development permit for the Belmont Park site on 6.7 acres of the 18.7-acre Mission Beach Park. The proposal included the removal of the roller rink building and portions of the Plunge building, renovation and rehabilitation of the Plunge swimming pool, pool room, and existing restrooms and lifeguard facilities, and new construction of a variety of public and private improvements. A Plunge annex building (housing lockers, restrooms, a meeting room, and fitness center), additional restrooms, a beach police patrol room, parking lot restriping, bus stop upgrades, and construction of a pedestrian overpass over Mission Boulevard were all approved as public improvements. Private improvements included the construction of 70,000 square feet of leasable commercial area in seven buildings. The remaining 12 acres in the southern portion of the park were retained by the City to

continue to serve as a parking lot and passive-use park, which had been approved by the Commission in CDP No. 6-82-543

All conditions were satisfied and the permit was issued to the applicant in January, 1987.

On June 10, 1988, the Commission approved CDP Amendment 6-86-396-A, which contained a number of unrelated changes and additions to the underlying project. While most of the changes, in and of themselves, would have qualified as immaterial amendments, the high level of public interest and participation in the site convinced the applicant to submit the amendment as a material amendment.

Additions to the underlying project included adding two external stairways each to Buildings 4, 5, and 6 so as to access new roof top dining decks. The applicant also proposed to add two amusement park rides to complement the roller coaster: a children's carousel and a relatively small (less than 30 feet) ferris wheel. Finally, the applicant proposed to delay construction of the pedestrian overpass because the City at that time was indicating it wanted some alternative traffic mitigation.

The amendment also cleared up confusion over the total square footage that was available to be leased. The amendment clarified that the development had 15,000 square feet of outdoor dining space – some attached to specific leaseholds, some common areas – in addition to the 70,000 square feet of enclosed space. Adequate parking was found at that time for that intensity of use.

CDP Amendment 6-86-396-A2, approved by the Coastal Commission on May 9, 1989, deleted the pedestrian overpass completely and instead set aside those funds for traffic and landscaping improvements in the immediate area of the development, including a right turn lane from northbound Mission Boulevard to eastbound West Mission Bay Drive, Mission Boulevard median improvements, traffic signal improvements at the Mission Boulevard/West Mission Bay Drive intersection, new signalization at the entrances to Bonita Cove and the parking lot south of Belmont Park, and new landscaping at Bonita Cove.

On September 17, 1999, the Commission approved CDP Amendment 6-86-396-A3, an amendment allowing installation of 9,200 square feet of water theme features consisting of a western courtyard primary show wave, a northern plaza half-pipe walk-through tunnel wave and children's pools, a show wave south of the roller coaster, and a training wave on the rooftops of Buildings 5 and 6.

CDP Amendment 6-86-396-A4 was approved by the Commission on June 14, 2000. This amendment allowed the temporary conversion of the vacant 9,846 square foot Building 6 into an MTV television studio and construction of a temporary addition consisting of a two-story, 4,800 square foot outdoor set with decks and pools, up to 43 feet in height. Everything was to be removed by September 1, 2000.

On October 7, 2003, the Commission approved CDP Amendment 6-86-396-A5, which permitted installation of security fencing around the previously approved four ground-level wave machines, installation of a co-generation utility room and a metering room,

relocation of trash areas within the northern parking lot, and installation of a 28-foot high ADA elevator in Building 6.

CDP Amendment 6-86-396-A6, approved by the Commission on May 14, 2004, permitted the demolition of Building 6, a then-existing 11,477 square foot building with 7,000 square foot roof top area, but leaving the 19-inch above-grade foundation for conversion into an outdoor patio and restaurant.

CDP Amendments 6-96-396-A7 through A11 are immaterial amendments permitting uses ranging from outdoor trapeze structures to new roof top bathroom facilities.

Belmont Park is bisected in such a manner that the approximately western half of the site is located within an area of the Commission's original jurisdiction and the eastern half is located within the City of San Diego's permit jurisdiction, the latter of which is also within the Commission's area of appeal jurisdiction. However, the applicant is amending a previously-approved permit issued by the Commission prior to certification of the City's LCP and as such, all proposed improvement falls under the Commission's purview regardless of their location on the subject site. Therefore, because portions of the site are within the Commission's area of original jurisdiction and portions are within the City's permit jurisdiction, the Commission must review the amendment utilizing both the certified LCP and Chapter 3 policies of the Coastal Act as the standard of review.

B. PUBLIC ACCESS/PARKING/TRAFFIC

The following Coastal Act policies are most pertinent to this issue, and state in part:

Section 30210 of the Coastal Act states:

In carrying out the requirement 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 public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

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 30212 of the Coastal Act states, in part:

- (a) *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2)*

adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

[...]

- (c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.*

Section 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

[...]

Section 30604 of the Coastal Act states, in part:

[...]

- (c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

Mission Beach is one of the most heavily used public beach areas in the City of San Diego. The community includes a large number of beach cottages and multi-family residences, and many residents are short-term vacationers, especially during the summer. Besides the permanent and temporary residents, many of whom come from out of state, the area is also a popular day-use destination point for San Diego County residents. Because people come from both within and without the community, and much of the local population is somewhat transient, all forms of access (pedestrian, private vehicle, and public transit) must be considered in this project.

Mission Beach Park, in which Belmont Park is located, is one of the largest pieces of public land adjacent to the ocean within the urbanized part of San Diego. Belmont Park is located between the first road and the sea, with the Mission Beach Boardwalk and beach abutting the property to the west, open grassy area and public parking lots to the south and east, and visitor commercial and residential along the north. The Coastal Commission, in the approving the original underlying CDP No. 6-86-396, applied the

Beach Impact Area (BIA) parking standards certified in the land use plans for the surrounding beach communities. These standards require 1 parking space for every 200 gross square feet of restaurant (including outdoor eating areas) and 1 parking space for every 400 gross square feet of retail commercial (or take-out food services with no seating area). In approving the original development, the Commission explicitly exempted the Plunge building and the attached athletic facility from the parking requirements. All on-site parking at Belmont Park is required by the CDP to be maintained free of charge on a first-come, first-serve basis, regardless of whether the visitors are going to Belmont Park or the adjacent beach.

While the original underlying CDP did also permit the restriping of the public parking lot across Mission Boulevard at Bonita Cove so as to add 200 additional off-site parking spaces, the Commission did not count this parking towards the total parking the development needed to provide for the on-site uses. This is because these are public lots, and restriping to gain additional spaces is an option the City can exercise at any time. At most, the 200 additional spaces were treated as partial mitigation for the traffic impacts the construction of Belmont Park would bring.

When Belmont Park was first approved by the Commission, the total number of parking spaces provided on-site was 366. However, over the years the addition of trash enclosures and dedication of parking for the adjacent life guard station reduced the total number to 321 spaces. This current supply is divided between the 251 spaces in the north lot and the 70 spaces in the east lot (the parking lot south of Belmont Park, while used by many visitors to Belmont Park, is not included in the leasehold and does not count towards any of the on-site parking supply).

After discussions with Commission staff, the applicant conducted an updated survey of the current amount of leasable space within Belmont Park and the number of parking spaces that leasable space requires under the underlying permit's parking formula. The applicant's survey found that, including all of the proposed roof deck and interior square footage from this current amendment application, the total amount of leasable space is 106,436 square feet (both restaurant and commercial retail). Subtracting the square footage of the athletic facility that was exempted back in the underlying 1986 CDP (and thus not subtracting the athletic facility square footage currently being proposed), the total leasable square footage requiring parking is 90,243 square feet. Applying the restaurant and commercial retail ratios produces a parking requirement of 307 parking spaces, 14 spaces less than the 321 spaces currently available on-site.

In addition to being a destination itself, Belmont Park serves as a flow through area for visitors to the surrounding parks and beaches. Many people walk through Belmont Park to access the north, south, or east parking lots, or to reach the boardwalk and beach. The proposed roof decks and interior athletic facility space will not alter or impede this physical public access to and through Belmont Park or surrounding area, as the improvements will be located on the roof tops of existing buildings or within them and will be provided with adequate parking from the existing pool of on-site parking spaces.

Finally, the expanded roof deck square footage will actually increase public access because the roof deck atop Building 7, while being available for rental by the public for special events, will be open to the public free of charge for recreational use when not being rented. Thus, the public will be able to stand on the roof and enjoy a meal or relax while taking in the views of the adjacent beach and ocean. Such public access will be ensured by appropriate signage advertising the roof decks openness to the general public.

Regarding traffic, Mission Beach is a narrow strip of land extending south as a peninsula from the community of Pacific Beach to the entrance of Mission Bay. The community is accessed from Pacific Beach to the north or by West Mission Bay Drive from the east. The only major north-south road is Mission Boulevard, which bisects the peninsula, and the only major intersection is where Mission Boulevard meets West Mission Bay Drive, at the northeast corner of Belmont Park.

Traffic circulation in the Mission Beach community has always been strained, especially in the peak summer months. In past decades the San Diego Police would have to close parts of the area to traffic once capacity was reached, and while subsequent traffic improvements have partially alleviated the pressure, the level of service of the adjacent intersection of Mission Boulevard and West Mission Bay Drive is still chronically poor. For this reason, past amendments for new development within Belmont Park have been required to address the issue of increased intensity of use and whether new improvements would significantly increase the number of vehicle trips into the area as well as the potential adverse impacts such development may have on traffic circulation in this near shore, visitor-destination area.

This proposed amendment is no different. The applicant is proposing to expand the available pool of leasable square footage for uses including dining, athletic facilities, and rental space for special events. Regardless of having sufficient on-site parking spaces, this expansion represents an increase in intensity of uses that, especially in the case of a new roof top rental space by the ocean, would likely increase the number of vehicle trips that enter the community. As traffic flow is already constrained due to the competing demands of residents, beach goers, and Belmont Park patrons, substantial increases in intensity of use should also address transportation demand so as to not impede public access to surrounding coastal resources. What would greatly help address this concern is the provision of a public shuttle which could utilize parking lots out of the area and then shuttle visitors to the park area. However, such a shuttle is beyond the scope of this project, but should be looked at in the future.

To mitigate potential impacts to public access, **Special Condition No. 1** requires the applicant to submit and adhere to final approved plans so as to ensure that development will install the approved amount of square footage which the Commission has determined can be supported by existing on-site parking. **Special Condition No. 2** requires that the applicant provide a signage plan for approval by the Executive Director so as to inform the public of their ability to make free use of the roof deck atop Building 7 when that space is not in use as a rental space. **Special Condition No. 3** requires the applicant to submit for Commission approval and implementation a Transportation Demand Management Plan so as to mitigate traffic impacts the expanded amenities might have in this already popular visitor destination. This is because, while still providing on-site

public parking spaces, a Transportation Demand Management program will promote the use of transit, minimize employee parking demand, and prevent employee parking from usurping public parking. The TDM program shall encourage and reward employees for biking or carpooling to work, provide incentives for using public transportation, and mandate that a survey of employees will be submitted annually to the Executive Director in order to gauge the effectiveness of the TDM program. The TDM program must be submitted to the Executive Director for review and written consent prior to issuance of this coastal development permit. **Special Condition No. 4** requires the applicant to submit a construction access and staging plan to ensure that construction material and workers will not adversely affect public access by occupying public areas and parking spaces. Finally, **Special Condition No. 5** prohibits the permitted from conducting the approved development during the busy summer tourist season, when impacts to public access would be highest.

In summary, the Commission finds the proposed roof patios and glass façade will not result in adverse impacts to public access. The expanded square footage will have sufficient parking provided for while alternative transportation will be encouraged among employees of the permitted and its lessees; no development will occur during the busy summer tourist season and approved construction plans will ensure that development does not consume public space. Therefore, the Commission finds that all public access concerns associated solely with development approved herein are adequately addressed, and that the proposed development, as conditioned, is consistent with the cited policies of the Coastal Act.

C. VISUAL RESOURCES/COMMUNITY CHARACTER

Section 30251 of the Act addresses scenic and visual qualities, and states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect public views to and along the ocean and scenic coastal areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

In conformance with this policy, the certified Mission Beach Precise Plan states in its Community Plans Element the following goals:

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

To identify and preserve those features that are conducive to the attractiveness of Mission Beach.

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

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

Section 132.0505 of the San Diego Municipal Code (SDMC) addresses building heights in the Coastal Overlay Zone, as mapped in Section 132.0402 (both sections being part of the City's certified LCP). Section 132.0505 states, in relevant part:

(a) Notwithstanding any section to the contrary, no building or addition to a building shall be constructed with a height in excess of thirty feet within the Coastal Zone of the City of San Diego.

Belmont Park is in a visually prominent setting, located at the very heart of Mission Beach at the main intersection where the public first enters the community, within a City-owned public park that abuts the beach. When the current development in Belmont Park was approved by underlying CDP No. 6-86-396, the City required at that time that all the new structures be designed to coordinate with the architectural style of the then existing Plunge building (Spanish Colonial Revival), and additionally that, to the extent feasible, all architectural embellishments from the demolished buildings be reused or casting be made. However, the Commission at that time noted that specific design features are not generally a Coastal Act issue, except as they relate to the conformity of new development with the surrounding neighborhood. Nevertheless, as part of the Belmont Park project approved under that original 1986 CDP, the original Plunge building was demolished and reconstructed, incorporating the Spanish Colonial Revival architecture style of the original building, as did the seven new buildings surrounding the Plunge (the demolished roller rink was never replaced).

In 2004, the Commission, in approving CDP Amendment No. 6-86-396-A6, permitted the entire demolition and removal of Building 6, which like the other buildings mimicked the Plunge's Spanish Colonial Revival architecture, so as to replace it with an open-air restaurant and wave machine recreational area. In that permit, the loss of the building's architecture and replacement with an open-air use that did not incorporate Spanish Revival Architecture was not raised as an issue nor addressed in the approved staff report.

Nevertheless, the proposed glass façade along the western and southern faces of Building 5, located at the southwestern corner of Belmont Park, will not defeat the architectural intent and requirements implemented all those years ago. As seen in submitted architectural renderings, the proposed façade is mostly comprised of glazed glass panels that will allow the public to see through to Building 5 and its Spanish Revival Architecture. The façade will not displace or replace any of the Spanish architectural features already present on the building, nor will it substantially alter the architectural character of the building from that of a Spanish-influenced structure. Furthermore, the proposed glass façade will not increase the footprint of Building 5 and thus will not obstruct public views. Because the underlying architecture will be left in place and still be visible to the public, Building 5's conformity with the surrounding character of the rest of Belmont Park will still be intact.

Regarding the question of roof top patios, in CDP Amendment No. 6-86-396-A, the Commission approved the installation of roof dining patios on three buildings: Buildings 4, 5, and 6. Due to various reasons, only the approximately 2,200 square foot roof deck on part of Building 5 was installed, and is currently the only roof deck present today. This existing roof square footage is substantially less than what Commission approved in the past amendment, and while the additional roof square footage currently proposed is more than what the Commission approved in the past (approximately 12,000 square feet proposed vs. approximately 7,000 square feet approved in the past), the roof decks will not be very visible from the ground and will not substantially alter the architectural styling of the buildings.

Furthermore, the roof decks will not adversely affect public views of the ocean. Views westward from Mission Boulevard towards the ocean are currently obstructed by Belmont Park and its related services (i.e. the roller coaster and other attractions). The Plunge building is approximately 45 feet in height, while the surrounding buildings are approximately 30 feet at their highest point (though the flat roof areas proposed for roof patios are lower than the highest points of the buildings). Due to their close proximity to each other, the buildings already effectively block any views westward from the parts of Mission Boulevard east of Belmont Park. Additionally, the roller coaster, while supported by a somewhat open wooden latticework, also substantially obstructs westward views. Because the proposed roof decks are atop already existing buildings approximately 30 feet in height, though not causing those buildings to exceed the legal height limit, any impacts to public views will be negligible.

Nevertheless, to mitigate potential impacts to visual resources, **Special Condition No. 1** requires the applicant to submit and adhere to final approved plans so as to ensure that development will proceed in the manner analyzed by the Commission and deemed least impactful to coastal resources.

In summary, the Commission finds the proposed roof patios and glass façade will not result in adverse impacts to visual resources and community character. The architectural character of Belmont Park will remain intact and public views, rather than being affected, will actually be enhanced by the new viewpoints. Therefore, the Commission finds that all visual resource concerns associated solely with development approved herein are adequately addressed, and that the proposed development, as conditioned, is consistent with the cited policies of the Coastal Act.

D. LOCAL COASTAL PLANNING

The subject site is located within the Mission Beach segment of the City of San Diego's certified LCP. The subject site is bisected in such a manner that the western half of the site is located within an area of the Commission's original jurisdiction and the eastern half is located within the City of San Diego's permit jurisdiction, the latter half of which is within the Commission's appeal jurisdiction. However, the applicant is amending a previously-approved permit issued by the Commission prior to certification of the City's LCP. Therefore, because portions of the site are within the Commission's area of

original jurisdiction and portions are within the City's permit jurisdiction, the Commission must review the amendment utilizing both the certified LCP and Chapter 3 policies of the Coastal Act as the standard of review.

The project site is currently zoned "OS" for Open Space and the plan designation is Public Park in the certified Mission Beach Precise Plan and Planned District Ordinance. According to the Mission Beach Land Use Plan (Precise Plan), where the City finds it appropriate, commercial-recreation uses can be found consistent with the park designation. The proposed roof top decks and interior additions to the existing buildings do not raise any conflicts with these designations and can be found consistent with all applicable policies of the Coastal Act. In addition, as an enhancement to existing recreational activities in Belmont Park, the proposed development is also consistent with the visitor-serving uses in the area, consistent with the policies of the certified LCP and Coastal Act policies. Therefore, the Commission finds that approval of the amendment, as conditioned, should not result in any adverse impacts to coastal resources nor prejudice the ability of the City of San Diego to continue to implement its fully-certified LCP for the Mission Beach area.

E. 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.

The proposed project has been conditioned in order to be found consistent with the certified LCP and Chapter 3 policies of the Coastal Act. Special conditions, including conditions addressing public access and visual resources, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and is consistent with the requirements of the certified LCP and Coastal Act to conform to CEQA.

(G:\San Diego\Reports\1986\6-86-396-A12 Belmont Park staff report.doc)

SAN DIEGO CO.



SEE 1268 MAP

EXHIBIT NO. 1
APPLICATION NO.
6-86-396-A12
Location Map

California Coastal Commission



Google earth

feet
meters

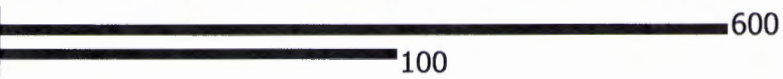
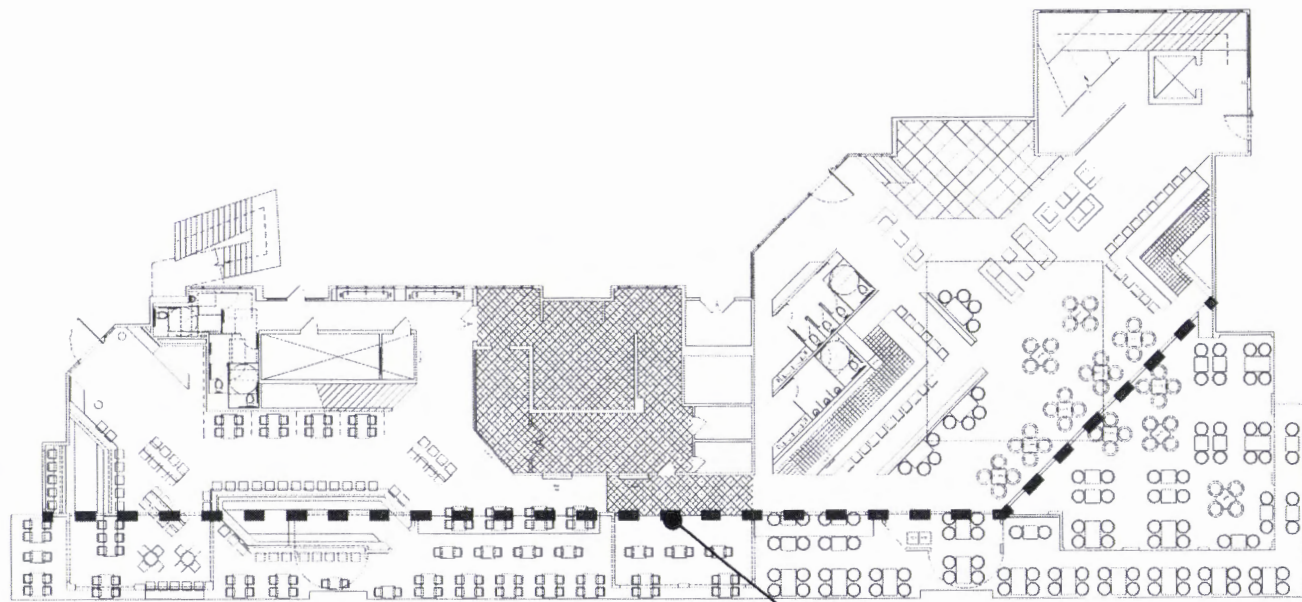
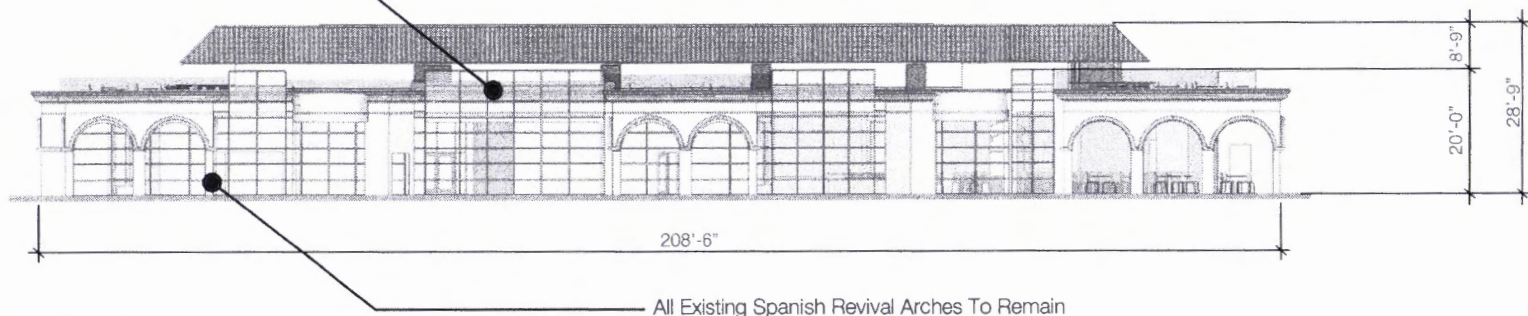


EXHIBIT NO. 2
APPLICATION NO.
6-86-396-A12
Aerial Photo
 California Coastal Commission

EXHIBIT NO. 3
APPLICATION NO. 6-86-396-A12
Building 5 glass façade
 California Coastal Commission



Proposed Glazing
at West Facade



Floor Plan + West Elevation

Scale: 1/32" = 1'-0"



Area Calculations

Proposed Remodel of
Existing Usable Square Footage
-Restaurant



..... 2437 Square Feet

Proposed Additional
Usable Square Footage
-Roof Deck & Circulation



..... 3348 Square Feet

Existing Usable Square Footage

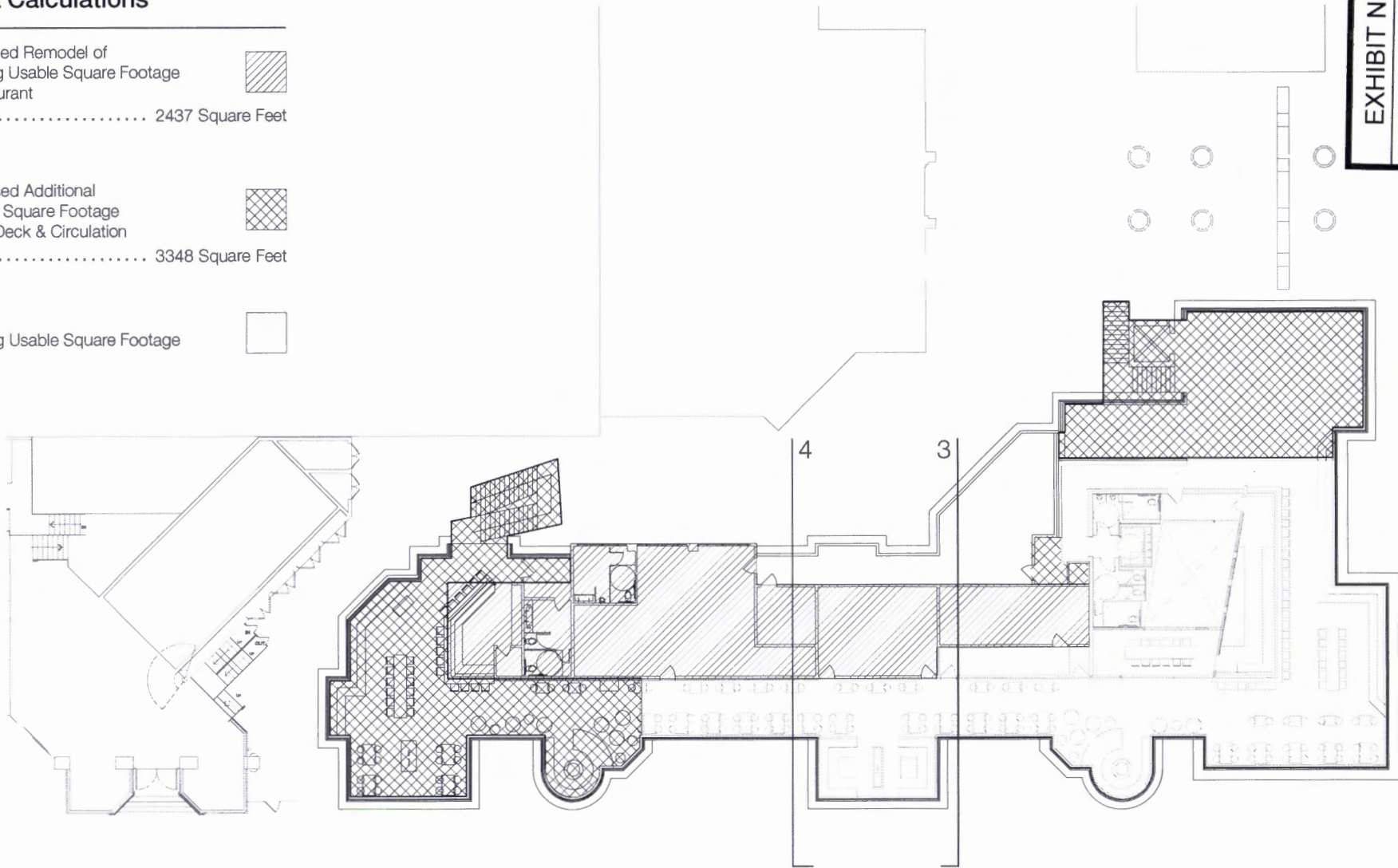


EXHIBIT NO. 4

APPLICATION NO.

6-86-396-A12

Building 5 roof deck

California Coastal Commission

Second Floor Plan

Project North

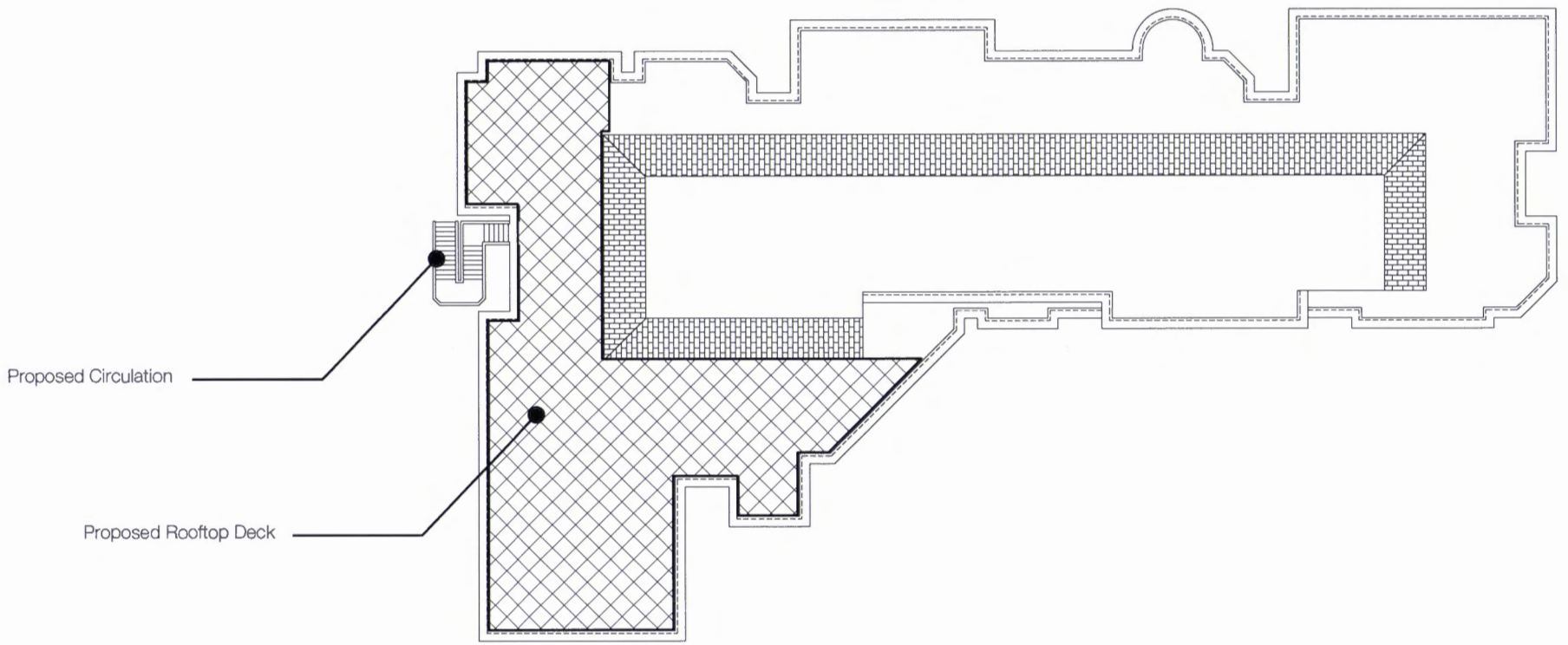
Scale: 1" = 30'-0"



Area Calculations

Additional Proposed Exterior
Square Footage

..... 3992 Square Feet



Site Plan

Scale: 1/32" = 1'-0"

Project North

Proposed Storage
497 Square Feet

Proposed Circulation

Proposed Storage
265 Square Feet

Existing Building 9
Plunge

Proposed Roof Deck
4933 Square Feet

EXHIBIT NO. 6
APPLICATION NO.
6-86-396-A12
Building 8 roof deck and addition
 California Coastal Commission

Rooftop Plan

Project North
Scale: 1/16" = 1'-0"