

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4402  
(619) 767-2370



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original staff report

# F15a

## Addendum

January 7, 2014

To: Commissioners and Interested Persons

From: California Coastal Commission  
San Diego Staff

Subject: Addendum to **Item F15a**, Coastal Development Permit Application  
**No. 6-86-396-A13 (Symphony Asset Pool XVI, LLC)**, for the  
Commission Meeting of Friday, January 10, 2014

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Staff recommends the following changes be made to the above-referenced staff report.  
Deletions shall be marked by a ~~strike through~~ and additions shall be underlined.

1. On Page 6 of the staff report, Special Condition No. 4 shall be revised as follows:
  4. **Final Water Quality BMP/Maintenance Plan.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit to the Executive Director for review and written approval a final BMP/maintenance plan that contains the following elements:
    - a. Daily litter removal by hand in the parking lot and trash containers within the parking lot;
    - b. Bi-weekly watering of plant material in the islands within the parking lot;
    - c. ~~Bi-monthly~~ Mechanized parking lot sweeping shall be conducted twice a month;
    - d. Monthly plant material trimming or as needed;
    - e. Yearly asphalt patching and parking stall restriping;
    - f. Concrete curb, side walk, and parking lot surface repairs as needed.

The applicant 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. On Page 17 of the staff report, the fourth paragraph shall be revised as follows:

Because this is and will stay a public parking lot, separate from the applicant's leasehold of Belmont Park, the City of San Diego will continue to maintain the parking lot after the redevelopment is completed. Currently, the Department of Parks and Recreation's maintenance plan consists of daily litter removal, bi-weekly watering of landscaping, monthly mechanized parking lot sweeping, monthly landscape trimming, annual asphalt patching, and surface repairs as needed. The Commission's staff water quality supervisor reviewed the City's current maintenance program for the subject lot and found that it addresses the main measures for minimizing impacts to water quality, especially the monthly mechanized sweeping of the lot. After analyzing the geographic context of the subject parking lot and the proposed development, the Commission's staff water quality supervisor recommended that frequency of mechanized sweeping be increased from monthly to ~~bi-weekly~~ two times each month.

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



# F15a

Filed: 9/19/13  
180th Day: 3/18/14  
Staff: A. Llerandi-SD  
Staff Report: 12/17/13  
Hearing Date: 1/8-10/14

**STAFF REPORT: AMENDMENT REQUEST**

**Application No.:** 6-86-396-A13

**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:** Redevelop the existing 463-space public parking lot south of Belmont Park into a 571-space lot, add landscaping, and institute a valet parking program to operate at the redeveloped lot.

**Staff Recommendation:** Approval with Conditions

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**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending approval of this project, with conditions. The proposed project raises issues regarding public access, visual resources, and water quality. Public access issues arise because the project will redevelop a large public parking lot serving a popular beach area. Visual resource issues are due to the parking lot's location adjacent to a

popular beach and the proposed placement of landscaping potentially blocking ocean views. Water quality issues arise because the parking lot is a large impermeable space that will be used for parking.

Recommended special conditions include requiring the applicant to adhere to final construction, landscape, and BMP plans to ensure that the final project conforms to approved parameters. A special condition prohibiting development during the summer tourist season will limit impacts to beach goers. A special condition mandating that valet parking be located in the portion of the parking lot farthest from the beach and Belmont Park will help ensure that it does not interfere with public access. 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-A13, as conditioned.

## TABLE OF CONTENTS

<b>I. MOTION AND RESOLUTION.....</b>	<b>4</b>
<b>II. SPECIAL CONDITIONS.....</b>	<b>5</b>
<b>III. FINDINGS AND DECLARATIONS.....</b>	<b>8</b>
A. PROJECT DESCRIPTION/HISTORY.....	8
B. PUBLIC ACCESS/PARKING/TRAFFIC.....	10
C. VISUAL RESOURCES/COMMUNITY CHARACTER.....	14
D. WATER QUALITY.....	16
E. UNPERMITTED DEVELOPMENT.....	18
F. LOCAL COASTAL PLANNING.....	18
G. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	18

### **EXHIBITS**

Exhibit 1 – Location Map

Exhibit 2 – Aerial View

Exhibit 3 – Visual Rendering of Proposed Parking Lot

Exhibit 4 – Conceptual 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 object or 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 first be approved by the City of San Diego and be in substantial conformance with the plans drafted by Colkitt & Co. Architects and submitted to the Coastal Commission on December 6, 2013.

The applicant 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. **Final Landscape Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMEDMENT, the applicant shall submit to the Executive Director for review and written approval final landscaping plans approved by the City of San Diego. The plans shall include the following:

- a. All landscaping shall be drought tolerant and native or non-invasive plan species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property.

The applicant 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. **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 applicant 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.

4. **Final Water Quality BMP/Maintenance Plan.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit to the Executive Director for review and written approval a final BMP/maintenance plan that contains the following elements:

- a. Daily litter removal by hand in the parking lot and trash containers within the parking lot;
- b. Bi-weekly watering of plant material in the islands within the parking lot;
- c. Bi-monthly mechanized parking lot sweeping;
- d. Monthly plant material trimming or as needed;
- e. Yearly asphalt patching and parking stall restriping;
- f. Concrete curb, side walk, and parking lot surface repairs as needed.

The applicant 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. **Valet Parking Operations.** Any approved valet parking program must operate subject to the following parameters:
- a. Up to a maximum of 90 parking spaces may be utilized on any given day for parking vehicles partaking in the valet parking program;
  - b. All parking spaces not being utilized for the valet parking program shall remain as free public parking, regardless of visitor destination;
  - c. When the valet parking program is not in operation, all parking spaces shall be available free to the public, and shall not be reserved for any other use;
  - d. All vehicles partaking in the authorized valet parking program must be parked within the southernmost row of parking spaces, starting at the southeast corner and filling in westward up to the daily maximum number of spaces;
  - e. All parking spaces slated to be used for valet parking on any given day must be clearly delineated from the remaining free spaces utilizing cones, signage, or similar demarcation.



6. **Timing of Development.** No development activity may occur between Memorial Day and Labor Day of any year.
7. **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 redevelop an existing 463-space public parking lot into a 571-space lot, add landscaping, and institute a valet parking program. The redevelopment will involve removing existing vegetated islands within the parking lot and thinning a vegetated median between the subject parking lot and Mission Boulevard and relocating the storm drains therein. The applicant will then resurface and restripe the parking lot and install landscaping consisting of palm trees uniformly throughout the parking lot. The proposed valet program will take paying visitors' vehicles and park them in the southernmost aisle of the parking lot. The project site is a public parking lot south of and adjacent to Belmont Park, a public amusement and restaurant/commercial space that comprises the Plunge pool building with attached athletic facility, seven commercial structures, various amusement rides (roller coaster, carousel, etc.), and public parking lots. Both the subject parking lot and the separate Belmont Park leasehold are located within the greater Mission Beach Park. While the applicant is the current leaseholder for Belmont Park, the subject parking lot is not part of that leasehold, and is instead overseen by the City of San Diego Department of Parks and Recreation and Real Estate Assets Department. The applicant is conducting the proposed improvements to the parking lot as part of a lease modification with the City of San Diego regarding Belmont Park that would allow the applicant to operate the proposed valet parking program in the subject parking lot.

The subject 463-space public parking lot currently has three unpermitted storage trailers being utilized by the San Diego Police Department occupying 15 parking spaces in the southeastern corner of the parking lot. The removal of these trailers is not part of this permit and will be addressed in a separate enforcement action.

#### **History**

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, which includes the subject parking lot, 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 on January 28, 1983 and issued the following month.

All conditions of CDP No. 6-86-396 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 6-86-396-A7 through A11 are immaterial amendments permitting uses ranging from outdoor trapeze structures to new roof top bathroom facilities.

In August, 2013, the Commission approved CDP Amendment 6-86-396-A12, authorizing the construction of 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, and addition of 1,467 square feet of interior space to Building 8.

Mission Beach 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).*

The “Vehicular Parking” section of the certified Mission Beach Community Plan lists the stated goal of:

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

Belmont Park and the surrounding parks are 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. In addition to 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 outside of 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.

The greater Belmont Park area, in which the subject parking lot is located, is one of the largest pieces of public land adjacent to the ocean within the urbanized part of San Diego. The subject 463-space parking lot 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 to the south, Mission Boulevard to the east, and Belmont Park to the north. The subject parking lot and related landscaping comprise approximately 4.6 acres. The vast majority of this is paved parking area, with a central, north-south palm tree-lined walkway between Belmont Park and the grassy area bisecting the lot. Along the eastern boundary next to Mission Boulevard is a 30-45 foot wide grassy strip with multiple trees that both shade pedestrians on Mission Boulevard and partly screen the parking lot from Mission Boulevard.

The proposed redevelopment of the subject parking lot would not be the first time the Commission authorized the leaseholder of Belmont Park to improve nearby public parking lots separate from the Belmont Park leasehold. The original underlying CDP permitted the restriping of the public parking lot across Mission Boulevard at Bonita Cove so as to add 200 additional off-site parking spaces in 1987. However, the Commission did not count this parking towards the total parking supply that Belmont Park 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. Along those same lines, the addition of 108 parking spaces to the subject parking lot south of Belmont Park will not be counted towards the parking supply used for calculating whether the uses within Belmont Park

meet the Commission's permit-required parking ratios. The added parking spaces, in addition to increasing the supply available to the beach-going public, will instead offset the proposed valet program's use of up to 90 parking spaces on any given day.

In addition to being a destination itself, the Belmont Park area 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 subject parking lot is a popular resource for people visiting Belmont Park, the beach, or the boardwalk. In its current configuration, the traffic aisles run perpendicular to Mission Boulevard, which can create safety hazards for people trying to cross the parking lot in a north-south direction, as they can pop in and out from cars with little notice to passing drivers in the lot. The applicant's proposed reorientation of the parking lot by 90 degrees, so as to create parking lanes parallel to Mission Boulevard, will increase the number of paths the public can use to walk between Belmont Park and the grassy park to the south while being more noticeable to traffic looking for parking. Furthermore, the reorientation will allow for the more efficient placement of parking spaces, leading to the 108-space increase in total number of parking spaces.

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. A couple of decades ago, 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.

Regarding the proposed parking lot redevelopment, the applicant is not proposing to install any improvements that would, in and of themselves, cause higher public attendance than what already occurs. The expansion of parking spaces and introduction of a valet parking program are expected to assist in handling parking more efficiently, rather than act as a driver for increased attendance. While the applicant proposes to use up to 90 parking spaces for the valet program, due to more efficient parking common in valet parking the applicant expects to be able to park up to 152 vehicles within those 90 spaces. On days when projected valet parking demand required fewer than 90 parking spaces, the unused spaces will be added to the pool of free public parking.

Nevertheless, while the proposed development authorized in this permit will not cause significant increases in vehicles trips, because traffic flow is already constrained due to the competing demands of residents, beach goers, and Belmont Park patrons, any future substantial increases in intensity of use in this area should also address alternate transportation demand measures 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.

Finally, while the applicant is increasing the number of parking spaces within the subject lot, it will not be achieved at the expense of prime usable grassy area. The outermost boundary of the subject parking lot is not being expanded, and the little grassy area that is being converted to parking area is contained within the vegetated strip adjacent to Mission Boulevard. Thus, the proposed development will not encroach into the commonly used grassy open space to the south or west of the subject parking lot.

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 conform to approved parameters. **Special Condition No. 3** requires the applicant to provide a staging and storage plan that will minimize impacts to public spaces and access during the duration of the redevelopment. **Special Condition No. 5** places parameters on the proposed valet parking program to ensure that it operates within approved confines and does not displace any free public parking in the area. **Special Condition No. 6** prohibits any redevelopment from occurring during the busy summer months, when park attendance is highest. Finally, **Special Condition No. 7** clearly indicates that all special conditions of past permits, as amended, are still applicable.

In summary, the Commission finds the proposed parking lot redevelopment will not result in adverse impacts to public access. In fact, the expansion of free parking spaces will make it easier for the public to come and visit the beach while the valet parking program will not displace any free public parking while giving the public an additional option to park their vehicles. 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 and certified LCP.

### **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.*

Mission Beach 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. The subject 463-space public parking lot and related landscaping to the south of Belmont Park comprise approximately 4.6 acres. The vast majority of this is paved parking area, with a central, north-south palm tree-lined walkway bisecting the lot between Belmont Park and the grassy park area. Along the eastern boundary next to Mission Boulevard is a grassy strip with several trees that both shade pedestrians on Mission Boulevard and partly screen the parking lot from Mission Boulevard.

Mission Beach Park is a large open space area that is popular with visitors, and to help handle the volume of visitors, the park has several parking lots in close proximity throughout the area, representing hundreds of parking spaces. Nevertheless, this area is identified in the community plan and acts first and foremost as a city park, not a city parking lot. As such, a balance must be found between the recreational needs of the public and the transportation amenities to serve them. While an expansion of free public parking can certainly aid in facilitating low-cost public access, care must be taken to ensure that it is not at the expense of the very recreational opportunities claimed to be served by the parking. The proposed parking lot redevelopment strikes such a balance because it is able to substantially increase the number of parking spaces while only minimally increasing the square footage of paved area. Even then, the increased paved area comes from a decrease in vegetated medians, not highly-used open grassy area. Finally, the fact that the outer boundaries of the subject parking lot are not expanded at all as a result of the redevelopment ensures that the improvements will be concentrated within already impacted areas.

The proposed redevelopment of the parking lot will retain the central walkway and trees, and will plant substantially more palm trees spaced uniformly throughout the parking lot so as to comply with the City of San Diego Parks and Recreation Department's

landscaping guidelines, which call for at least one 24-inch boxed tree per five parking spaces, with every parking space being within 30 feet of the trunk of a tree. Additionally, the grassy area of Mission Beach Park south of the subject parking lot contains multiple palm trees spaced in a similar pattern to what is proposed in the parking lot, so the landscaping therein will serve as an architectural extension of the tree design of the grassy area.

Because the subject parking lot is a flat, open area, the public can currently look over it to the ocean. The proposed landscaping will not impede this view, as the proposed palm trees will be tall and thin-trunked, and will not be clustered in a way that would substantially impact views across the parking lot.

While the proposed development is not expected to substantially impact visual resources, to mitigate potential impacts, **Special Condition No. 2** requires the applicant to submit and adhere to final approved landscape plans so as to ensure that landscaping will not be invasive and will not substantially impact public views of the ocean.

In summary, the Commission finds the proposed parking lot redevelopment will not result in adverse impacts to visual resources and community character. The community character of Belmont Park will remain intact and public views will not be adversely affected. 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 and the City's certified LCP.

#### **D. WATER QUALITY**

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

The subject 463-space public parking lot and related landscaping to the south of Belmont Park comprise approximately 4.6 acres. The vast majority of this is paved parking area, with a central, north-south palm tree-lined walkway bisecting the lot between Belmont Park and the grassy park area. Along the eastern boundary next to Mission Boulevard is a grassy strip with several trees that both shade pedestrians on Mission Boulevard and partly screen the parking lot from Mission Boulevard.

The subject parking lot currently sees varying amounts of usage over the course of the year. During the rainy winter season, usage can be sporadic and relatively low, while during the busy summer tourist season the lot can be filled to capacity for long periods of time. Regardless of time of year, the usage that does occur invariably consists of cars parking in the lot, with some tour buses passing through to drop off or pick up passengers. These uses introduce pollutants in the form of brake dust and leaking automotive fluids such as oil, in addition to litter that may come from passing pedestrians or overflowing trash receptacles.

Currently, runoff from the subject lot flows into existing storm drains within the parking lot or out into adjacent Mission Boulevard and its storm drain inlets. The proposed redevelopment of the subject lot will require the relocation of two of the storm drains within the vegetated median on the eastern side of the parking lot, next to Mission Boulevard. The new storm drains will be placed within the newer, thinner median. Runoff flowing from the redeveloped lot is expected to continue to flow into the City's storm water system.

Because this is and will stay a public parking lot, separate from the applicant's leasehold of Belmont Park, the City of San Diego will continue to maintain the parking lot after the redevelopment is completed. Currently, the Department of Parks and Recreation's maintenance plan consists of daily litter removal, bi-weekly watering of landscaping, monthly mechanized parking lot sweeping, monthly landscape trimming, annual asphalt patching, and surface repairs as needed. The Commission's staff water quality supervisor reviewed the City's current maintenance program for the subject lot and found that it addresses the main measures for minimizing impacts to water quality, especially the monthly mechanized sweeping of the lot. After analyzing the geographic context of the subject parking lot and the proposed development, the Commission's staff water quality supervisor recommended that frequency of mechanized sweeping be increased from monthly to bi-weekly.

While the proposed development is not expected to substantially impact water quality, to mitigate potential impacts, **Special Condition No. 4** requires the applicant to submit and adhere to final approved BMP/maintenance plans so as to ensure that development will take the necessary measures to treat runoff.

In summary, the Commission finds the proposed parking lot redevelopment will not result in adverse impacts to water quality. Therefore, the Commission finds that all water quality 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.

#### **E. UNPERMITTED DEVELOPMENT**

Development has occurred on the subject site without the required coastal development permit, including, but not limited to, the placement of three storage trailers in the southeast corner of the subject parking lot, occupying approximately 15 parking spaces. These trailers are placed and utilized by the San Diego Police Department. These trailers are not the subject of this proposal and will be addressed in a separate enforcement action.

Although development has taken place prior to the submission of this permit application, consideration of the application by the Commission has been based solely upon the policies of the Coastal Act. Commission review and action on this permit does not constitute a waiver of any legal action with regard to the alleged violations, nor does it constitute an implied statement of the Commission's position regarding the legality of any development undertaken on the subject site without a coastal permit, or that all aspects of the violation have been fully resolved.

#### **F. 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. 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.

#### **G. 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, water quality, 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.

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EXHIBIT NO. 1  
APPLICATION NO.  
**6-86-396-A13**  
Location Map





feet 700  
meters 200

earth

EXHIBIT NO. 2  
APPLICATION NO.  
**6-86-396-A13**  
Aerial View





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ovating Goodness™

San Diego, CA  
9.232.0008

New York, NY  
1.212.252.2215

Worldwide  
info@nathanscookkit.com

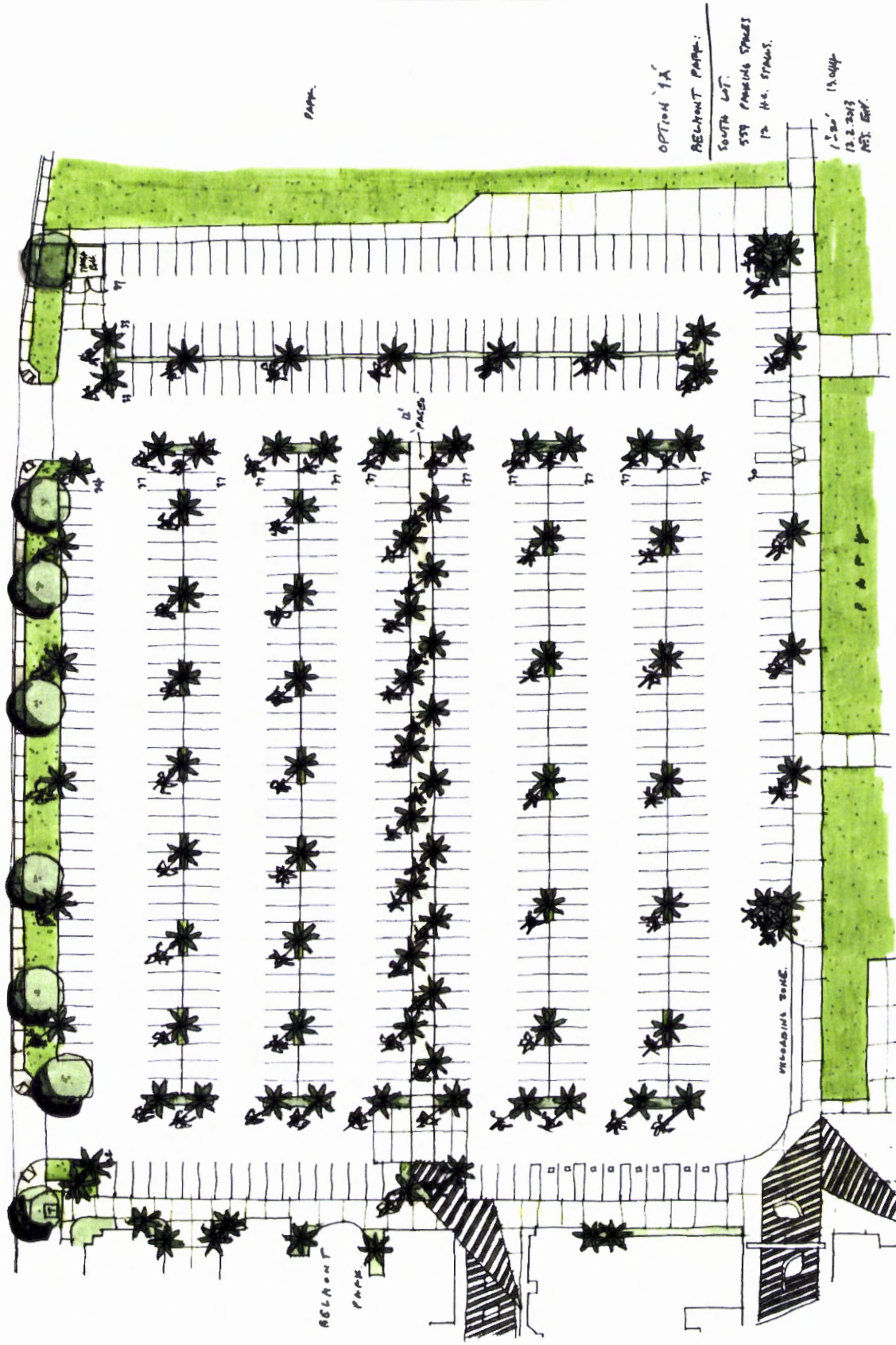
South Parking Design | After  
Belmont Park | San Diego CA | 2013.12.06

EXHIBIT NO. 3  
APPLICATION NO.  
**6-86-396-A13**  
Visual Rendering



# Parking Counts

559 City Standard Stalls  
12 Handi Capped  
571 Total Stalls



## South Parking Design | Single Paseo Belmont Park | San Diego CA | 2013.12.06

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Ipsco, CA New York, NY Worldwide  
1212.252.2215 info@authr-goodness.com

EXHIBIT NO. 4  
APPLICATION NO.  
**6-86-396-A13**  
Conceptual Plan