

**DATE ISSUED:** May 5, 2005 Report No. PC-05-173

**ATTENTION:** Planning Commission, Agenda of May 12, 2005

**SUBJECT:** LA JOLLA LIFEGUARD STATION APPEAL, PTS No. 25502, Process 3

**REFERENCE:** Hearing Officer Report No. HO-05-023

**OWNER/** City of San Diego

**APPLICANT:** Jihad Sleiman, Engineering and Capital Projects

**SUMMARY**

**Issue:** Should the Planning Commission deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. 66151 and Site Development Permit No. 66153 to construct a replacement 1,485 square-foot, two-story lifeguard station and new detached 650 square-foot, single story, vehicle storage facility on a 0.2-acre site, in and adjacent to the existing parking lot of La Jolla Shores Kellogg Park.

**Staff Recommendation:**

1. **Certify** Negative Declaration (ND) No. 25502 and
2. **Approve** Coastal Development Permit No. 66151 and Site Development Permit No. 66153.

**Community Planning Group Recommendation:** On May 6, 2004 the La Jolla Community Planning Association voted 8-5-0 in favor of the project with the recommendation that the existing narrower parking spaces be located on the opposite side of the parking lot and that a blinking light be activated as the vehicle storage facility is in use.

**Other Recommendations:** On May 24, 2004, the La Jolla Shores Advisory Board voted 3-1-0 in favor of the project with no conditions.

**Environmental Review:** Negative Declaration No. 25502 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines.

**Fiscal Impact Statement:** All costs associated with this project have been covered by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** None with this action.

## **BACKGROUND**

The project before the Planning Commission is an appeal of the Hearing Officer's decision of February 9, 2005 to approve a Coastal Development Permit/Site Development Permit to construct a replacement 1,485 square-foot, two-story lifeguard station and new detached 650 square-foot, single story, vehicle storage facility on a 0.2-acre site, in, and adjacent to, the existing parking lot of the La Jolla Shores Kellogg Park, in La Jolla Shores. The existing La Jolla Shores lifeguard station at Kellogg Park was constructed in 1983. The project is located in the Public Park zone and is designated for Parks/Open Space (Attachment 2). It is located directly in front of Kellogg Park on the west side of the boardwalk which runs parallel to the shoreline near Calle Frescota in La Jolla Shores (Attachment 3). This is a City of San Diego Capital Improvement Project initiated by the Engineering and Capital Projects Department.

The Hearing Officer's decision to approve the project was appealed by Karen Boger and Carol duPont. Materials submitted by the appellant to the Hearing Officer and a copy of the appeal are attached as Attachments 9 and 10 respectively.

## **DISCUSSION**

### **Project Description:**

The Engineering and Capital Projects Department proposes to demolish an existing 50-foot wide lifeguard facility located on the west side of the boardwalk and construct a new station on the east side of the boardwalk on the southwest corner of the existing parking lot. This would remove the station from the front of the green space at Kellogg Park (Attachment 1). The project requires a Coastal Development Permit as the proposal is located in the Coastal Overlay Zone. San Diego Municipal Code Section 103.0302.3(d) requires that all development in the La Jolla

Shores Planned District Ordinance area also obtain a Process 3, Site Development Permit. The new station would include two separate buildings connected by a breezeway, with a 30-foot high observation tower cantilevered out over the boardwalk and sand (Attachment 5). A third building is also proposed in the existing parking lot to store lifeguard vehicles and other equipment. In addition, a large steel container that currently stores lifesaving equipment adjacent to Kellogg Park along Calle Frescota would be removed as part of the proposal. The station would provide locker room space for the lifeguards, a first aid room for the public, an observation room, community room and a unisex public restroom.

### Vehicle Storage Facility

At present, the lifeguard station provides no facility to house lifeguard vehicles and lifesaving equipment is stored in an unsightly storage container. Vehicles must be stored offsite at other lifeguard stations. Early project designs proposed a rescue vehicle storage facility be located together with the proposed lifeguard station buildings. The proposal to locate the facility near the center of the parking lot resulted from numerous community input meetings that communicated the desire to break up the bulk and scale of the buildings. The parking lot location would also align the vehicle storage facility near an existing seawall opening, allowing for more direct rescue access to the beach. Other benefits of the parking lot location are avoiding the Calle Frescota View Corridor (Attachment 6) and moving the building away from the Kellogg Park green space. Locating the storage facility in the middle of the existing parking lot was approved by the La Jolla Shores Association on April 9, 2003 and by the Permit Review Committee on March 23, 2004.

### Parking Spaces

The existing parking lot currently provides 378 spaces (374 public and four lifeguard spaces). The proposed project design would maintain 378 parking spaces. The project would re-stripe the westerly most spaces of the lot to accommodate spaces that would be displaced by the proposed buildings. Nine of the existing spaces are accessible. The project would reduce the number of accessible spaces to eight and increase the other spaces to 366. While the accessible stalls are being reduced by one in number, they would now include two van-accessible spaces, not currently available. The number of accessible spaces conforms to the Land Development Code. With the proposed parking lot re-striping, there would be no net loss in parking spaces provided.

In a preliminary design, staff had suggested narrower parking spaces in the westerly most row of the lot. Although that proposal was dropped from the design, the La Jolla Community Planning Association recommended that these spaces be located on the opposite site of the lot. No narrower spaces are now proposed.

The four proposed lifeguard spaces would be located immediately around the proposed vehicle storage facility. This would not only provide for lifeguard vehicle storage outside of and in close proximity to the storage facility, but would also create a buffer between beachgoers backing out

of nearby parking stalls and rescue vehicles entering or exiting the facility. Rescue vehicle movements would be slow and made in the morning to get vehicles on the beach for patrol, and in the evening for storage. In addition, the applicant is proposing stop signs in the drive aisles on each end of the facility (Attachment 5, Sheet AS-2.1). This would ensure slower speeds and increase the time to react to any vehicle movements from the facility. The overhead doors proposed for the facility would be roll-up doors and would not swing out into the drive aisles. In addition, rescue vehicle movement warning is proposed and is discussed in the next section.

#### Rescue Vehicles Movement Warning

Rescue vehicles would be stored in the storage facility and moved to the beach in the morning hours and returned in the evening. Although these would be slow, deliberate movements and not in response to emergencies, the La Jolla Community Planning Association suggested that a blinking light should be installed to alert those in the parking lot that rescue vehicles are about to enter or exit the storage facility, cross the travel lane and head to the beach or return to the facility. In response, the project proposes to include a flashing beacon that would activate when the facility door opens to warn pedestrians and drivers that a rescue vehicle is exiting or entering the facility. The exact location of the beacon would be determined in consultation with the Transportation Review staff. In addition, stop signs are proposed in the two drive aisles in front and behind the facility.

#### Protecting Views

The City of San Diego does not protect private views. A public view corridor is the width of the public right-of-way from which the views are taken. The four view corridors identified in the La Jolla Community Plan and Local Coastal Program Land Use Plan are Camino Del Oro, Calle Frescota, Vallecitos and Avenida De La Playa (Attachment 6). The nearest public view to be protected is from Calle Frescota and neither the proposed new station nor vehicle storage facility would block that public view. Currently, the only major obstacle in that public view corridor is the existing storage container, which would be removed by the project. Vallecitos and Avenida De La Playa are well south of the project and the Camino Del Oro view corridor is on the northern edge of the parking lot. No part of the proposed project would block any of the identified view corridors.

#### Breezeway Gates

The proposed design of the lifeguard station includes an eight-foot wide breezeway between the two buildings (Attachment 5). This design element is in response to community input to reduce the bulk and scale of the lifeguard station structure, and to eliminate any large solid wall along the boardwalk. However, the breezeway would be gated on both ends to protect lifesaving equipment (namely surfboards) to be stored in the breezeway. While the breezeway includes gates, they would be open during normal business hours and only closed when the station shuts down for the evening. This would allow passersby to see through the buildings and the building wall would be broken up. Neither the building nor the breezeway would be aligned with any

identified public view corridor and the station is proposed for the east side of the boardwalk. This would allow pedestrians open views of the ocean as they use the boardwalk.

#### Community Plan Consistency

In addition to the issues above, consistency with the community plan has been mentioned. The subject property is located in an area identified as "Parks, Open Space" in the La Jolla Community Plan (LJCP). One of the goals of the Community Facilities, Parks, and Services Element of the LJCP (p. 113) is to, "Ensure that all new and existing public facilities...are designed and developed in a manner that will not contribute any adverse impacts to the environmentally sensitive areas of La Jolla." This project reconstructs the existing facility away from the Kellogg Park green space, locates the facility on the pavement side of the boardwalk and not the sand side, and the tower has been designed with a narrow profile to help protect public views.

Appeal Issues - The appeal lists the following 12 items:

1. Violates the PDO
2. Lacked appropriate Notice
3. Safety issues and response time
4. Limited first floor observation
5. Inadequate environmental review
6. BMPs for vehicle washing
7. Bulk and Scale
8. Parking
9. Garage location
10. Costs
11. Bond issue
12. Building materials

#### Staff Response

The following is each appeal issue followed by a staff response.

1. Violates the Planned District Ordinance (Sec 103.0300, Purpose and Intent)

#### Staff Response:

Section 103.0300 reads:

“The public health, safety and welfare require that property in La Jolla Shores shall be protected from impairment in value and that the distinctive residential character and the open seascape orientation of the La Jolla Shore Area shall be retained and enhanced.”

“The development of the land in La Jolla Shores should be controlled so as to protect and

enhance the area’s unique ocean-oriented setting, architectural character and natural terrain and enable the area to maintain its distinctive identity as part of one of the outstanding residential area of the Pacific Coast. The proper development of La Jolla Shores is in keeping with the objectives and proposals of the Progress Guide and General Plan for the City of San Diego, of the La Jolla Community Plan, and of the La Jolla Shores Precise Plan.”

Every effort has been taken to enhance and retain the open seascape orientation of the La Jolla Shores Area and to protect the ocean-oriented setting. The existing lifeguard station would be removed from the sand side of the boardwalk, allowing for unimpeded pedestrian views of the beach. The existing station is located directly in front of the green space of the Kellogg Park. The proposed project would move the station north, away from the park space, enhancing the park experience, while maintaining beach safety.

Following numerous community outreach meetings, and in an effort to reduce the bulk and scale of the project, the rescue vehicle storage facility portion of the project would be separated from the station buildings and located in the existing parking lot. This would keep the buildings at a single story and reduce the visual impact.

The lifeguard tower itself has a reduced profile also decreasing the impact to beach views. Existing operations use an eight-foot wide, by nine-foot high, by 40-foot long steel container to store lifesaving equipment adjacent to Kellogg Park along Calle Frescota. This container would be removed and equipment would be housed in the lifeguard station breezeway and in the rescue vehicle storage facility, enhancing the Calle Frescota Public View Corridor.

2. Lacked appropriate “NOTICE” to those most affected

Staff Response: Noticing has been done in accordance with the Land Development Code, Chapter 11, Division 3, Article 3, Notice, Sections 112.0301 (Types of Notice); 112.0302 (Notice by Mail); and 112.0303 (Published Notice), as well as the “always list mailing list.” This mailing list includes the council office, community planning group and individuals who have requested to be on the list.

3. Has serious flaws relating to safety issues and response time

Staff Response: Staff believes that this comment could relate to a misunderstanding of lifeguard operations. Lifeguards observing the beach from the main tower typically radio to lifeguards on the beach to respond to emergency situations. Lifeguards patrolling the beach are typically in vehicles that were brought to the beach in the morning or on foot. The location of the vehicle storage facility is not relevant to emergency response time. Lifeguards do not typically respond to emergencies from that facility.

While rescue vehicles would exit the storage facility in the mornings and enter in the evening hours, speeds would be slow and the building would be equipped with warning lights flashing with the opening of the facility’s doors. In addition, parking for four

lifeguard vehicles would be located immediately adjacent to the storage facility, creating a buffer between cars backing out of parking stalls facility doors. Staff believes the proposed design provides for public safety and does not effect response time.

4. “Offers limited observation opportunities for Lifeguards from first floor”

Staff Response: The proposed design would provide for over 35 feet of first floor window space to observe beachgoers. While the first floor is not the primary observation space, lifeguards in either the first floor Observation Room or Community Room could observe the beach. The second-story observation tower is the primary location for lifeguards to observe the beach. Providing an extra 35 feet of window on the west side of the building would maximize beachgoer observation.

5. “Underwent inadequate environmental review (Please note that the Response to the Negative Declaration for Project Number 25502 is incomplete an/or inaccurate, in many instances.)”

Staff Response: The proposed project was reviewed under the guidelines of CEQA. Every effort was made to make the responses to public comment clear, complete, and accurate. As the appellants did not provide specific information regarding the statement made on the appeal form, no further information can be provided regarding inadequacy of the response to the comments received during public review of the Negative Declaration.

6. “Ignores BMP for water run-off from washing vehicles”

Staff Response: Staff has indicated that no vehicle-washing would take place in the parking lot of the proposed facility. This has been confirmed by lifeguard management.

7. “Bulk and Scale – figures presented do not reflect actual footprint”

Staff Response: It is unclear what is meant by this comment. The project before the Hearing Officer included site plans reflecting the proposed footprint of each building.

8. “Parking”

Staff Response: There would be a no net loss in parking spaces with the proposed project. The lot would be re-stripped to maintain 374 spaces for public use even though the vehicle storage facility is proposed for the parking lot. Four lifeguard spaces would be provided, maintain the current total number of spaces at 378.

9. “Inclusion and location of a Garage in the overall plans”

Staff Response: The applicant has visited the community numerous times over the last two years to gather input on the proposed project. The proposal to locate the rescue vehicle storage facility in the parking lot was a result of community input asking to break up the bulk and scale of the proposed building. Other locations have been suggested, but the current proposal reflects a compromise between the bulk and scale issue and lifeguard operational efficiency. Both the La Jolla Community Planning Association and the La Jolla Shores Advisory Board recommended approval of the project with the storage facility located in the parking lot.

10. “Exorbitant cost.”

Staff Response: Project costs are not under the purview of the Hearing Officer.

11. Bond issues relationship to under funding the Pension

Staff Response: Bond issues are not under the purview of the Hearing Officer.

12. “Materials used and colors relative to rest of the park”

Staff Response: The project proposes to incorporate a selection of materials including concrete masonry, steel, tempered glass and frosted glass using a predominately natural tan and grey color scheme minimizing the impact with the natural surroundings. In addition, the project proposes to utilize landscaping to further soften the overall impact of the structure within the surrounding area. Based on a neighborhood survey, the proposed materials and color are within general conformity with those in the area.

**Community Plan Analysis:**

The subject property is located in an area identified as "Parks, Open Space" in the La Jolla Community Plan. The proposed project is to replace the existing lifeguard station and storage facility with a new structure and storage unit.

One of the goals of the Community Facilities, Parks, and Services Element is to ensure that all new and existig public facilities are designed and developed in a manner that will not contribute any adverse impacts to the environmentally sensitive areas of La Jolla. The proposed lifeguard facilities have been designed to minimize impacts to public views and beach access.

The proposed lifeguard station will be located adjacent to the parking lot on the southwest corner and will be placed on the east side of the existing concrete boardwalk along the beach access points. This location is an improvement from the existing structure which is located on the west side of the concrete boardwalk extending into the beach and across from Kellogg Park. The new location does not impede public access and improves public views from both the park and along



the pedestrian access route.

Kellogg Park and La Jolla Shores Beach are major recreational resources and are utilized intensively by visitors throughout the region making parking in the area a concern. The proposed project conforms with plan policies supporting the retention of existing parking. A portion of the project is located in the existing parking lot, however, the project proposes no net loss of parking spaces.

Although the lifeguard station is a unique public facility it is located in close proximity to a coastal resource and, therefore, requires a sensitive design. The proposed lifeguard facilities are primarily single story. Included in the design for the lifeguard station structure is a 30-foot high observation tower extending west towards the beach. The project proposes to incorporate a selection of materials including concrete masonry, steel, tempered glass and frosted glass using a predominately natural tan and grey color scheme minimizing the impact with the natural surroundings. In addition, the project proposes to utilize landscaping to further soften the overall impact of the structure within the surrounding area.

### **Environmental Analysis:**

The Environmental Analysis Section (EAS) prepared an Initial Study reviewing the project for visual quality and geology/soils. To reduce potential impacts to public views, the lifeguard station is designed as two buildings separated by a breezeway. The observation tower component would be located above the breezeway, connected by a stairway. Both the building and the tower would be sited with the narrowest facades toward the beach. This configuration would not have a significant impact to public views, and therefore, no mitigation would be required.

EAS also reviewed a geotechnical report and determined that proper engineering design of all new structures would ensure that the potential for geologic impacts from regional hazards would not be significant and no mitigation would be required. A Negative Declaration has been prepared.

### **Conclusion:**

Staff recommends denial of the appeal and approval of the project. Staff's analysis of issues identified in the appeal illustrates that the project is in conformance with all development regulations of the underlying zone, the California Environmental Quality Act and is consistent with the La Jolla Community Plan, the Local Coastal Program Land Use Plan and the La Jolla Shores Planned District Ordinance.

### **ALTERNATIVES**

1. Approve Coastal Development Permit No. 66151 and Site Development Permit 66153, with modifications.

2. Deny Coastal Development Permit No. 66151 and Site Development Permit 66153, if the findings required to approve the project cannot be affirmed.

**Respectfully submitted,**

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**Marcela Escobar-Eck**  
**Deputy Director, Customer Support and**  
**Information Division**  
**Development Services Department**

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**Morris E. Dye, Project Manager**  
**Customer Support and**  
**Information Division**  
**Development Services Department**

HALBERT/MED

Attachments:

1. Aerial/Elevation Photo Survey
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans, including Elevations and Site Plans
6. Identified Public Vantage Points
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Materials Submitted to the Hearing Officer
10. Copy of Appeal
11. Response to Appeal
12. Ownership Disclosure Statement
13. Project Chronology
14. Hearing Officer Report (without attachments)