

Attachment E



Port of San Diego

and Lindbergh Field Air Terminal

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SD UNIFIED PORT DISTRICT CLERK'S OFFICE

COASTAL DEVELOPMENT PERMIT

Applicant: Arthur Engle
Port Coronado Associates / Ferry Landing Associates
P.O. Box 13308
San Diego, CA 92170-3308

Agent: George Palermo, General Manager
Ferry Landing Associates, LLC
1511 Marine Way
Coronado, CA 92118

Project: THE FERRY LANDING EXPANSION

You are hereby granted a Coastal Development Permit. This permit is issued in conformance with the California Coastal Act of 1976 and the Coastal Development Permit Regulations of the San Diego Unified Port District, as adopted by the Board of Port Commissioners on July 1, 1980, Resolution No. 80-193, and as amended on December 2, 1980, Resolution No. 80-243, and on February 14, 1984, Resolution No. 84-62, in accordance with the provisions for the issuance of a [] Emergency [] Non-appealable [X] Appealable Coastal Development Permit.

Date of Board Action: October 21, 1997

BPC Resolution No. 97-248

Date of Permit: November 18, 1997

Application No. 97018-62-42

Permit No. CDP-97-3

The project is located between the sea (as defined in the Coastal Act) and the first inland continuous public road paralleling the sea. The project is fully consistent with Public Resources Code Section 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

This permit is limited to the development described below and set forth in material on file with the San Diego Unified Port District, and subject to the terms, conditions, and provisions hereinafter stated:

DEVELOPMENT

Construction of two restaurants with a total of approximately 18,500 square feet of gross floor area, extension of the bicycle path along the waterfront, approximately 6,500 square feet of offices, parking for approximately 255 vehicles, rip-rap and revetment shoreline protection, and landscaping. The project is further described in the Environmental Assessment for the Ferry Landing Expansion dated July 20, 1995, and in current plans on file with the San Diego Unified Port District.

STANDARD PROVISIONS

1. Permittee shall adhere strictly to the current plans for the project as approved by the San Diego Unified Port District.
2. Permittee shall notify District of any changes in the project.
3. Permittee shall meet all the local code requirements and ordinances and obtain all necessary permits from local, state and federal agencies.
4. Permittee shall conform to the permit rules and regulations of the San Diego Unified Port District.
5. Permittee shall commence development within two years following the date of permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
6. The permit is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
7. This permit shall not be valid until two copies of the permit have been returned to the Planning and Environmental Management Department of the San Diego Unified Port District, upon which copies the permittee has signed a statement agreeing that the permittee will abide by the terms, conditions, limitations and provisions of the permit.

SPECIAL PROVISIONS

1. To minimize noise during construction, the permittee will require the construction contractor to (a) restrict normal construction activities to weekdays from 7:00 am to 7:00 pm, (b) keep construction equipment as far as possible from sensitive receptors, and (c) provide acoustical shielding around equipment operating at night, from 10:00 pm to 7:00 am.

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- 2. To minimize fugitive air emissions during construction, the permittee will require the construction contractor to keep fugitive dust down by regular wetting.
- 3. To minimize nuisance effects from lights or glare during construction, the contractor will use sodium vapor lights, and will shield and direct night lighting away from residences.
- 4. To minimize noise from normal operations, the permittee will relocate the access/egress driveway west of A Street (extended).
- 5. To minimize noise, a sound attenuation wall will be constructed at the property line on the south and east side of the project site. The height of the wall will be no higher than 8 feet, however it may be less than 8 feet if agreed to, in writing, by the abutting property owner.
- 6. The permittee will arrange for pick-up of trash dumpsters between 7:00 am and 7:00 pm.

If you have any questions concerning this permit, please contact the Planning and Environmental Management Department of the San Diego Unified Port District.

LAWRENCE M. KILLEEN, Executive Director

By: John Wehbring
 JOHN L. WEHBRING, Senior Environmental
 Planner

I have read and understand the terms, conditions, limitations, and provisions of this permit and agree to abide by them.

AKL
 Signature of Permittee

11/26/97
 Date

36851

Re Coastal Development Permit -]
The Ferry Landing Expansion, Coronado]
_____]

RESOLUTION 97-248

WHEREAS, pursuant to Ordinance 1926, adopted on October 21, 1997, the Board granted a lease to Ferry Landing Associates for the construction and operation of Two (2) restaurants in Coronado, east of the Ferry Landing Marketplace; and

WHEREAS, on June 7, 1995, the Board of Port Commissioners (Board) granted conceptual approval for The Ferry Landing Expansion Project (Project) located on tidelands in the City of Coronado; and

WHEREAS, the San Diego Unified Port District is trustee of said tidelands; and

WHEREAS, an application has been prepared for a Coastal Development Permit to provide for the construction of said Project; and

WHEREAS, the Board held a noticed public hearing on the Coastal Development Permit on October 21, 1997; and

WHEREAS, the Board finds that said application and attachments thereto contain correct and accurate statements of fact; and

WHEREAS, the Board has concluded that said Project conforms to the Port District Master Plan and the public access requirements of the California Coastal Act; and

WHEREAS, the Board has certified the Final Environmental Impact Report entitled "Coronado Boatyard Plan Amendment, The Wharf Development" (UPD No. 83356-EIR-143), NOW, THEREFORE,

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Board further finds:

97-248

1. The Project, in general, consists of the construction of Two (2) restaurants with a total of approximately 18,500 square feet of gross floor area, an extension of the bicycle path along the waterfront, approximately 6,500 square feet of offices (existing building on site), parking for approximately Two Hundred Fifty Five (255) vehicles, riprap and revetment shoreline protection and landscaping, the existing piers will be rebuilt in their current configuration and location on the waterfront and will be integrated with the riprap shoreline revetment; said Project is located in Planning District 6 of the Port District Master Plan, the Precise Plan for which provides for use as "Commercial Recreation".

2. The proposed use for the Project is consistent with the use and development concept for the Coronado Bayfront area as provided in said Port District Master Plan and, as such, is an Appealable Development which conforms to the certified Port District Master Plan. The proposed Project is located between the sea (as defined in the Coastal Act) and the first inland continuous public road paralleling the sea, and said Project is consistent with Public Resources Code Sections 30604(c) and 30210-30224, and the Coastal Act public access and recreation policies referenced therein because it maximizes pedestrian and bicyclist access and recreational opportunities to and along the Bay within the framework of the Port District's Bay Access Plan.

3. The proposed Project which is entitled "The Ferry Landing Expansion" is consistent with and conforms to the Port District Master Plan, and, accordingly, the Executive Director or his authorized representative is hereby authorized and directed to issue a Coastal Development Permit for said Project after the Ten (10) day appeal period as described in the Coastal Development Permit Regulations of the District has passed.

ADOPTED this 21st day of October, 1997.

sw
10/21/97