

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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# F 3b

Filed: 12/3/08  
49th Day: 1/21/09  
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Staff: Laurinda Owens-SD  
Staff Report: 1/15/09  
Hearing Date: 2/4-6/09

## STAFF REPORT: CONSENT CALENDAR

**Application No.:** 6-08-117

**Applicant:** University of California, San Diego      **Agent:** Milt Phegley

**Description:** Remodeling and conversion of an existing two-story, 3,947 sq.ft. building from housing program space and housing maintenance facility to food service facility and retail convenience store including enclosure of two exterior deck areas (resulting in a 4,187 sq.ft. building) and the construction of approximately 3,100 sq.ft. of new exterior patio areas.

Lot Area	8,975 sq. ft.
Building Coverage	2,152 sq. ft. (24%)
Pavement Coverage	4,873 sq. ft. (54%)
Landscape Coverage	1,950 sq. ft. (22%)
Zoning	Unzoned
Plan Designation	Academic
Ht abv fin grade	35'10" feet

**Site:** Thurgood Marshall Activity Center, Thurgood Marshal College, East of Ridge Walk, UCSD campus, La Jolla, San Diego, San Diego County. APN 342-010-24

**Substantive File Documents:** Updated draft UCSD Long Range Development Plan

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

### **I. STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

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

**STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:**

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

**II. Standard Conditions.**

See attached page.

**II. Special Conditions.**

1. Landscaping Plan. All proposed landscaping must be drought-tolerant and native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be 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. No Eucalyptus trees shall be utilized.

**III. Findings and Declarations.**

The Commission finds and declares as follows:

**A. Detailed Project Description/History.** Proposed is the remodeling and conversion of an existing two-story building which presently consists of housing program space (upper level recreation room and meeting room and a lower level housing maintenance facility). The existing building is 3,947 sq.ft. in size and two exterior deck areas (120 sq.ft. on each level) will be enclosed resulting in a new building of approximately 4,187 sq.ft. Also proposed is the construction of approximately 3,100 sq.ft. of new exterior patio areas for seating and circulation (replacing an area now landscaped with turf). The proposed project will provide improved food service and retail services for student residents at Thurgood Marshall College and students, faculty and staff in nearby buildings within the college campus. New landscaping is also proposed. An advisory condition informs the applicant that all proposed landscaping must be drought-tolerant and or non-invasive plant species and that no Eucalyptus trees shall be used.

The project site is located at Thurgood Marshall College on the UCSD campus which is inland from N. Torrey Pines Road. The project site is not visible from N. Torrey Pines Road due to the presence of other structures. The proposed development will not result in any adverse visual impacts, consistent with Coastal Act policies.

**B. Biological Resources.** Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

The proposed development will not have an adverse impact on any sensitive habitat, and will not result in erosion or adverse impacts to water quality. Thus, the Commission finds the project, as conditioned, consistent with the resource protection policies of Chapter 3 of the Coastal Act.

**C. Community Character /Visual Quality.** The development is located within an existing developed area and will be compatible with the character and scale of the surrounding area. The proposed project primarily consists of the remodeling of an existing building and conversion of interior space to a different use and other associated improvements (i.e., enclosure of two decks and construction of new outdoor patio). The project site is located in the interior part of the UCSD campus which is not visible from the first public road and, as such, will not result in any impacts to public views to the ocean. Therefore, the Commission finds that the development conforms to Section 30251 of the Coastal Act.

**D. Public Access/Parking.** The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. The proposed development is not located between La Jolla Shores Drive (the first coastal road) and the sea where public access issues are a concern and, in any case, does not require the provision of parking. Therefore, the Commission finds the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

**E. Local Coastal Planning.** The City of San Diego does have a certified LCP for most of its coastal zone. However, the UCSD campus segments in La Jolla are not part of that program and remain an area of deferred certification where the Commission temporarily retains coastal development permit authority. UCSD does have a Long Range Development Plan (LRDP), but does not plan to submit it for certification. The proposed development is consistent with Chapter 3 of the Coastal Act, the legal standard of review, and also with the LRDP which is used as guidance. Approval of the project will not prejudice the ability of the university to prepare and implement an LRDP that is in conformity with the provisions of Chapter 3.

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

#### **STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized

agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

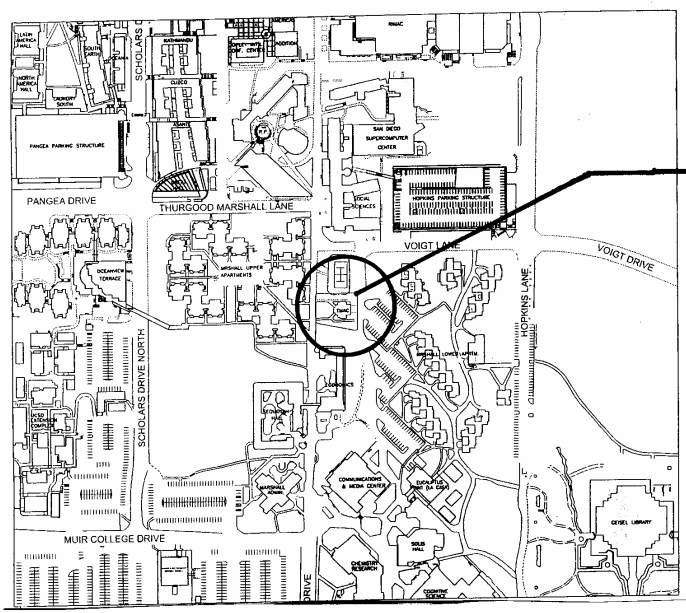
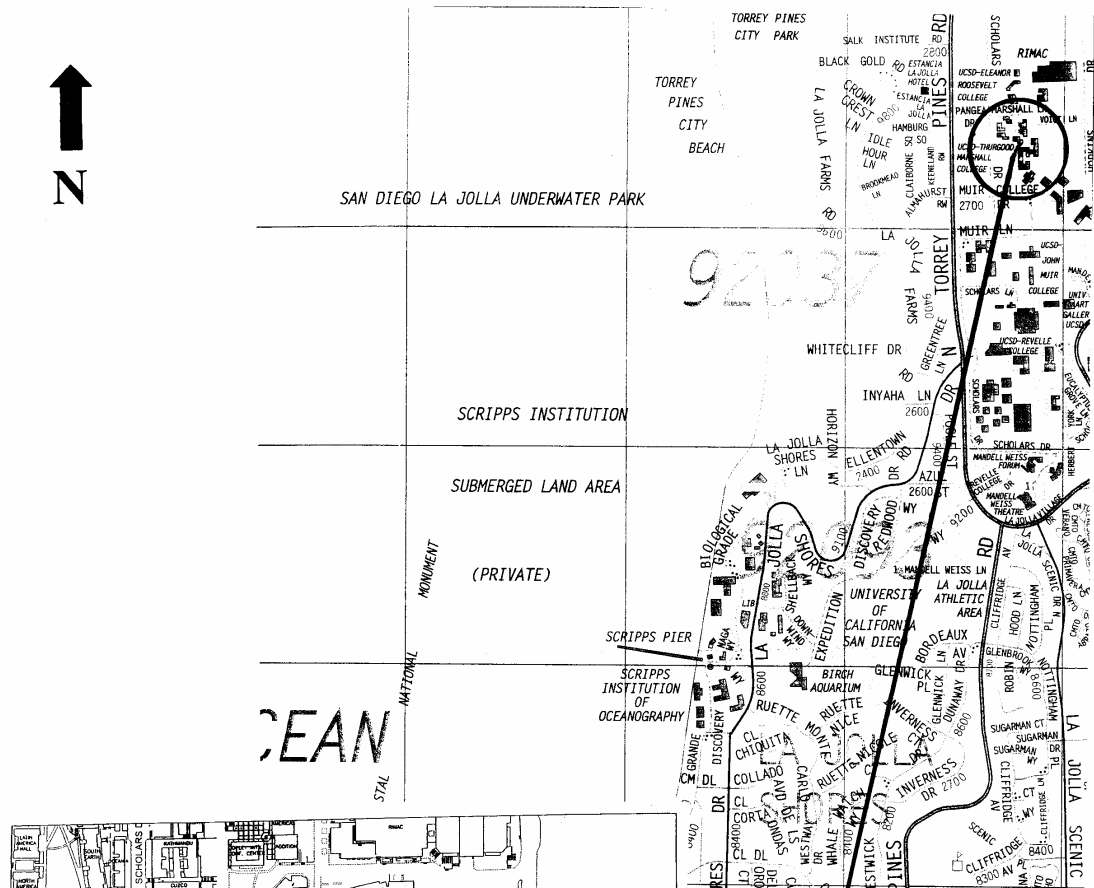

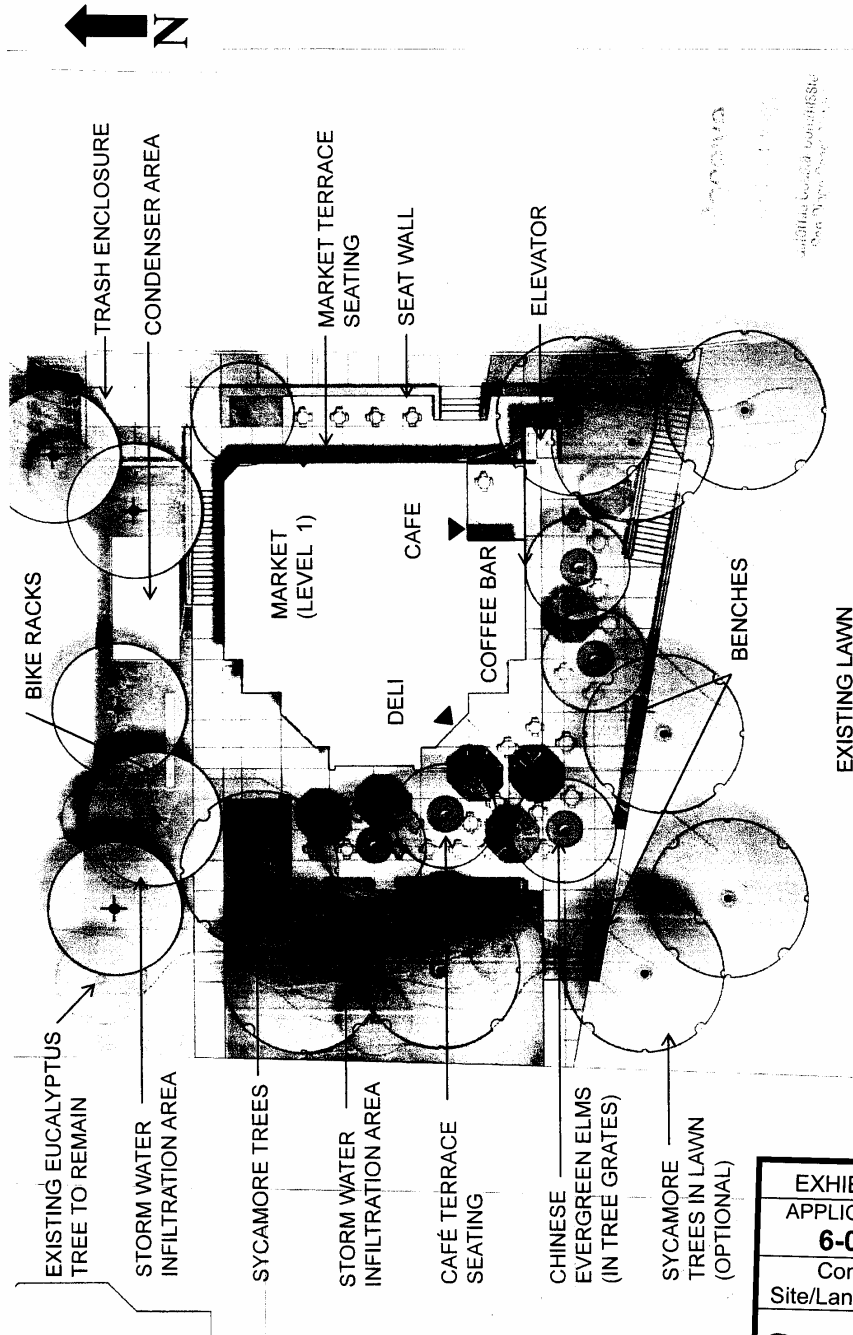


EXHIBIT NO. 1  
APPLICATION NO.  
**6-08-117**  
Location Map





UC San Diego  
THURGOOD MARSHALL COLLEGE



UC San Diego  
THURGOOD MARSHALL COLLEGE

Alfredo Araiza & Associates

EXHIBIT NO. 2
APPLICATION NO.
<b>6-08-117</b>
Conceptual Site/Landscape Plan
California Coastal Commission