

CALIFORNIA COASTAL COMMISSION

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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-09-008

Applicant: University of California, San Diego Agent: Milton Phegley

Description: Construction of the North Campus Housing Phase II project to accommodate 800 bed spaces in 145 apartment units consisting of four 5-story buildings, one, 13-story, 130 ft. high building, and two, 1- and 2-story non-residential buildings totaling 250,950 sq.ft. on an approximately site. The non-residential buildings consist of a bistro and office/market and 15 parking spaces for staff and visitors. The project site currently consists of a 557-space parking lot which will be removed; in addition to the 15 spaces associated with the student housing, a separate parking lot component will include replacement parking consisting of 187 parking spaces (not associated with the housing development) consisting of 155 parking spaces in the "east" lot and 32 spaces in the "west" lot; the larger of which will be completed after the housing components are constructed (resulting in a net decrease of 355 parking spaces).

Lot Area	216,800 sq. ft. (approx. 5 acres)
Building Coverage	36,500 sq. ft. (17%)
Pavement Coverage	102,140 sq. ft. (47%)
Landscape Coverage	78,160 sq. ft. (36%)
Parking Spaces	15
Zoning	Unzoned
Plan Designation	Academic
Ht abv fin grade	38 ½ ft. to 130 ft.

Site: East side of North Torrey Pines Road, south of North Point Drive and north of Eleanor Roosevelt College, UCSD, La Jolla, San Diego, San Diego County. APN 320-010-24

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

The staff recommends that the Commission approve the subject permit with conditions. The proposed development will be constructed within the Main Campus of UCSD which is not between the first coastal road and sea. The main issues raised by the subject development relate to protection of public views and access. While the proposed development does include a number of tall buildings, including a 13-story, 130 ft. high building, no significant public view impacts will result. The structure is designed to be narrow in appearance and has been sited at the far northeastern part of the project site to reduce its visibility. It is also in alignment with the other 14-story residence hall that was approved in the first phase of the student housing project to minimize view impacts, as well. With regard to parking and traffic circulation, although 355 parking spaces will be removed through the proposed student housing project, the applicant has provided documentation showing that adequate parking exists on campus to accommodate the proposed development without adversely affecting parking and transportation in the surrounding area. The University has also indicated that the spaces that will be removed through the proposed project will be recaptured in a new parking structure near the project site which is nearly completed. Furthermore, UCSD has an excellent alternative transportation program for both students and faculty that includes car pools, van pools and an on-site shuttle program. The campus is also served by public transit, which helps reduce the demand for vehicles on campus and alleviates parking and transportation issues in this area. As such, there will not be a significant adverse impact to public access in this area as a result of the proposed project.

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

Substantive File Documents: University of California, San Diego "Draft" Long Range Development Plan; Certified La Jolla-La Jolla Shores LCP Land Use Plan (2004); Final Tiered Environmental Impact Report SCH No. 2008091097 dated February 2009; Survey of Parking Occupancy Levels Tables by UCSD – Winter 2009; UCSD Alternative Transportation Programs by Sundstrom and Associates, dated 4/11/07; UCSD Parking Model; "Commuters to See Changes in Bus and Trolley Service", San Diego Union Tribune, 9/3/07; CDP 6-89-184, 6-04-148; 6-99-64, 6-14-146; 6-06-96; 6-06-146.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-09-8 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit 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.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Landscaping Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan for the review and written approval of the Executive Director. Said plan shall be in substantial conformance with the draft landscape plan submitted by Carrier Johnson dated 1/22/09, and shall include the following:

- a. A plan showing the type, size, extent and location of all trees/shrubs on the site including the proposed irrigation system and other landscape features;
- b. All landscaping shall be drought-tolerant and either 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.
- c. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the residential construction
 - d. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.
 - e. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
 - f. Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, which certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

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

2. Water Quality/BMPs.

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final Water Quality Management Plan (WQMP), prepared by a licensed water quality professional, for review and written approval of the Executive Director. The WQMP shall be based on the Summary of Submittal Information for Hydrology and Water Quality received March 11, 2009 including recommendations in the Hydrology Study North Campus Housing Phase 2 (July 9,

2008 and updated December 9, 2008), and additional hydrology information including: (1) Existing and Proposed Hydrology Map and Landscape Concept Plan; (2) North Campus Housing-Interim Parking Study; (3) Hydrology and Water Quality Section of the Project EIR; (4) UCSD Storm Water Pollution Prevention Best Management Practices Handbook, February 2006; (5) UCSD 2004 Long Range Development Plan Final EIR-Hydrology and Water Quality, Sep 2004; (6) UCSD Storm Water Management Plan, March 2003. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) (site design, source control and treatment control) designed and implemented to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site and to minimize water quality impacts to surrounding coastal waters. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

1. Impervious surfaces, especially directly connected impervious areas, shall be detached and minimized, and alternative types of pervious pavement shall be used where feasible.
2. Landscaping shall be integrated throughout the site.
3. Roof drains shall be directed to landscape areas prior to discharging to storm drain facilities.
4. Straw waddles, silt fences, check dams, stabilized construction entrances and exits, dust control and good housekeeping practices shall be used during construction.
5. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized.
6. Efficient Irrigation Measures including water saving irrigation heads and nozzles, flow sensors, automatic rain sensors and multiple programming capabilities shall be used.
7. A Fertilizer and Landscape Management program shall include Integrated Pest Management (IPM) practices and the use of a drought tolerant planting palette. Additionally, a perforated under-drain system shall be used in landscaped areas and beneath paved parking areas to promote infiltration.
8. Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals.
9. Storm drain inlets and catch basins shall be properly stenciled or labeled.
10. For East Parking Lot: pervious concrete or permeable asphalt concrete shall be used to enable storm water permeation; bioretention systems shall be developed using plants; vegetated and/or rock swales shall be created; and trees shall be planted, combined with stone reservoir recharge beds.
11. All parking lots shall be swept and litter shall be removed on a weekly basis, at a minimum. The parking lots shall not be sprayed down or washed down unless the water used is directed through the sanitary sewer system or a biofiltration area.
12. A BMP treatment train shall be designed and implemented to collect and treat runoff and remove pollutants of concern (including heavy metals, oil and grease, hydrocarbons, trash and debris, sediment, nutrients and pesticides) through

infiltration, filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff from the developed site in a non-erosive manner. Where possible, low-impact, sustainable features such as curb cuts and bioswales or infiltration/detention basins shall be used.

13. Catch basin filter inserts shall be installed in catch basins.
 14. Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
 15. All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, and where necessary, cleaned-out and/or repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season.
 16. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
 17. It is the permittee's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specifications.
- B. The permittee shall undertake development in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the approved program shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Final Plans. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans for the proposed North Student Housing project that are in substantial conformance with the plans submitted by Carrier Johnson dated 1/22/09.

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 amendment unless the Executive Director determines that no additional amendment is legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is UCSD's North Campus Housing Phase II project. The proposed project consists of the construction of five residence hall buildings to accommodate 800 student bed spaces in 145 apartment units. Included with the project are two low rise non-residence common area buildings including a bistro and

office/market. The project site consists of seven buildings of varying sizes on a site. The buildings will be sited in three rows of structures including a U-shaped and L-shaped building and two non-residential buildings at the far southwest portion of the site (ref. Exhibit No. 2). The buildings are designed to be situated from high to low from north to south. Beginning at the north part of the site, Building A is a high-rise 13-story, 130 ft. high residence hall. Immediately to the south, the rest of the residence halls are “mid-rise” buildings consisting of: Building B (53 ft. high), Building C (56 ft. high) and Building D (54 ft. high), the latter of which is a U-shaped structure, and Building E (30 ft.). To the west of Buildings D and E are the two non-residential buildings, Building G/Bistro (30 ft.) and Building F/Office-Market (30 ft). Altogether, the buildings will total to approximately 250,950 sq.ft.

The project site presently consists of a large parking lot (Lot P357) that contains a total of 557 parking spaces for students, faculty and staff that will all be removed. Fifteen parking spaces will be replaced for visitor parking use in association with the new student housing project in a parking lot located west of Buildings G and F perpendicular to Scholars Drive North (Ref. Exhibit No. 2).

Also proposed is a parking component not associated with the student housing project. This consists of a total of 187 parking spaces which consist of 155 parking spaces in the reconfigured “east” parking lot (situated to the east on the other side of the access/service road) and 32 spaces in the residual “west” parking lot (situated immediately south of Buildings E and F). These spaces are left over spaces from the parking lot that will be removed but the area will be reconfigured and striped. More specifically, the larger “east” parking lot would be constructed on the staging area for the housing project following completion of the housing component of the project. The “west” parking lot would be a reconfiguration, including superficial re-surfacing and re-striping of existing parking that would remain after demolition of the parking areas associated with the project (ref. Exhibit No. 4). Also proposed is grading consisting of 19,000 cy. of cut and 7,000 cy. of fill with 1,200 cy. of export material to be disposed of outside of the coastal zone.

The project site is on the main campus of UCSD and is bounded by Scholars Drive North to the west, North Point Drive to the north and a campus access/service road to the east and the Rady School of Management to the south and, as noted above, is immediately adjacent to and east of the Phase I student housing project which fronts directly on the east side of North Torrey Pines Road. Further south is Eleanor Roosevelt College. Across North Torrey Pines Road and the student housing phase I project to the west is the Salk Institute and the Torrey Pines Gliderport (ref. Exhibit No. 1).

UCSD has informally submitted to staff a draft Long Range Development Plan (LRDP), EIR and topographic maps as an aid in analyzing development proposals, but the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the future. The appropriate standard of review for this project is thus Chapter 3 policies of the Coastal Act.

2. Visual Resources. Section 30251 of the Act states, in part, the following:

“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 views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas,…”

The most visually prominent feature of the proposed development will be a 13-story, 130 ft. high residence hall (Building A) at the northeast corner of the project site. However, unlike the first phase of student housing project which included a 14-story, 163 ft. high residence hall, this particular project site does not front directly on North Torrey Pines Road which is a major coastal access route. (As originally approved, the residence hall was proposed to be 163 ft. high but UCSD has a pending permit application to revise the building height to 151 ft. high). The project consists of three rectangle, and two square, one U- and one L-shaped buildings totaling approximately 250,000 sq.ft. The project is designed such that there are three rows of structures. From north to south, west to east, the first row of structures (Buildings A, B and C), which are the westernmost buildings, are adjacent to North Point Drive. These structures consisting of three separate buildings and are proposed to be three stories, 130 ½ ft. high, 53 ft. high and 55 ft. high. The mid-rise housing structures which are shaped in a U- and L-fashion on the southern half of the site are (Buildings D and E) are 54 ft. and 34 ft. high, respectively. The two low-rise non-residence structures are 30 ft. high. These two structures are next to Scholars Drive and the southwest corner of the site. Immediately south of Building E and F is the west residual “west” parking lot which will contain 32 parking spaces. There will also be 15 parking spaces for staff and visitors, 150 bicycle storage spaces, laundry facilities, shared meeting rooms, custodial, maintenance and mechanical spaces, generator, charging station for electric carts, and a service and emergency access road. There will also be a variety of landscape, hardscape and open space areas.

The proposed development, while planned for in the University’s draft Long Range Development Plan, has the potential to alter the character of this area by permitting a 13-story structure that will be somewhat visible from other roadways in the vicinity. Although it is not the first tall structure to be built in this area, it is the second tallest structure on the UCSD campus (coastal zone) which does change the character of this portion of the campus. As noted earlier, under CDP #6-04-146 UCSD was permitted to construct a 14-story residence hall as part of the Phase I student housing project. That structure is currently under construction. The newly proposed 13-story residence hall will be situated east of the 14-story residence hall under construction. In order to analyze the visual impacts associated with the proposed tall structure, UCSD conducted a visual analysis. This analysis is included in the final EIR for the project. First, it should be noted that the structure itself will not impact public views to the ocean. The project site is located sufficiently inland (over half a mile) such that views to the ocean from public vantage points are not available.

There are a number of public streets in the area, however, that function as major coastal access routes, including North Torrey Pines Road itself and Interstate-5 to the east. UCSD submitted a visual simulation as part of its Final EIR. As stated in that document, the tower structure will be most visible from Scholars Drive North and North Point Drive (internal campus roadways). Views of the project site from off-campus locations, such as North Torrey Pines Road, are limited due to existing intervening mature vegetation that interferes with views of the project site. There are also gaps in the landscape screening that provide some short-range views toward the site from North Torrey Pines Road, but such views will become harder to obtain as the residential buildings of the North Campus Housing Phase I are constructed. Beyond the immediate project site, views of the ground level of the project site are non-existent from west-bound four-lane Genesee Avenue near I-5, as they are limited by distance, intervening topography and existing mature landscaping (historic Eucalyptus Grove), which block long-range views of the project site. More distant views toward the project site are also available from the Gliderport. However, due to the distance and intervening buildings, topography and vegetation, views from this vantage point are limited to the air space above the project site.

In addition, as was done for Phase I of the student housing project, UCSD has submitted a table that lists all of the buildings on the UCSD campus within the coastal zone that are over 30 feet in height. Three of those buildings listed (Geisel Library, Tioga Hall and the Humanities and Social Studies building) exceed 100 feet in height (108 ft., 117 ft., and 119 ft., respectively). These structures are located south of the proposed building and are east of North Torrey Pines Road, as well. However, it should be noted that all of these buildings were constructed at a time which pre-dated the Coastal Act.

Thus, while the tower structure will be the second tallest structure on the campus in the surrounding area, it is not out of character with some of the other tall structures on the campus. In addition, even though the tower structure will be marginally visible from off-site locations, it has been designed in a manner to minimize its visual impacts. Specifically, it was placed at the far northeastern portion of the project site to minimize its visibility from the roadway. It was also designed to be very narrow to minimize its mass and bulk. The structure is also proposed to be placed somewhat perpendicular to the other 14-story tall residence hall such that the 14-story structure will somewhat shield the view of the 13-story structure as viewed from the west (ref. Exhibit Nos. 2 & 5). Furthermore, substantial landscaping is proposed in and around the buildings in Phase II.

The analysis UCSD did for the first phase tower is the same as that for the second phase tower. Specifically, the applicant has looked at various alternatives to reduce the height of the proposed tower, including adding additional floors to the other nine structures to minimize the visual impact of such a tall building in this area. However, the applicant indicated that if they had designed the project such that the other buildings would be taller, it would have created significant shadows between the structures and therefore would have created a tunnel effect, reducing the value of the public open space between the buildings. The project architect also indicated that if they had designed the project to reduce the height of the tower structure and increase the height of the other proposed

buildings, it would have resulted in the buildings appearing more military or rigid in style.

Another reason for not increasing the height of the other buildings is that the University wanted to keep the views over the project site looking west from Ridge Walk, a major public north-south pedestrian corridor on the campus (ref. Exhibit No. 5). Ridge Walk is located along the former alignment of historic Highway 101 and is the high point of the campus which provides panoramic views of the ocean and horizon. Ridge Walk extends for a distance of approximately 6,000 feet (a little over a mile) from Revelle College to the south to North Point Drive to the north, which marks the northern boundary of the project site. Therefore, the project was designed such that the majority of the buildings were clustered together in a central location in order to minimize the impact of the project from not only North Torrey Pines Road but also from points on campus as well. In fact, the Phase II student housing was specifically designed to allow for three view corridors looking west from Ridge Walk, as demonstrated in an exhibit submitted by UCSD.

Lastly, the applicant has indicated that if they had increased the number of stories of the other buildings they would have been required to install elevators and other features which would also require a different type of construction (Type 5 to Type 3), the buildings needing to be composed of steel instead of wood frame, including incorporation of non-flammable construction materials, which would have been much more costly. As designed, all of the residential buildings (A-E) will be served by elevators. In addition, a free-standing elevator connected by walkways will serve Buildings C and D.

It should be noted that although the proposed height of one of the new campus structures will attain a maximum height of 130 feet, the University isn't subject to local permits and the 30-foot height limit which is imposed in most coastal zone areas throughout the City of San Diego is a City ordinance, not a Coastal Commission requirement. The University is not within the City's certified LCP, and it has no certified LRDP, therefore, the standard of review is Chapter 3 policies of the Coastal Act. In this particular case, the proposed 13-story, 130 ft. high tower structure associated with the new student housing will be the second tallest structure visible from public roadways within the immediate area and will result in a further change to the character of this area. However, as noted previously, the north student housing project is located on the east side of North Torrey Pines Road which is not located between the first coastal road and the sea, therefore, the proposed project will not result in any visual impacts on public views toward the ocean. In addition, given that there is a taller structure currently under construction adjacent to and west of this project and there are three other tall structures on the campus in the general area (east of North Torrey Pines Road), the proposed tower structure is not completely out of character for residence halls or academic buildings on the campus, as a whole. Nonetheless, the approval of such a tall structure should not be considered a precedent for future buildings of similar height or greater on portions of the UCSD campus located in the coastal zone because of design features, such as the unique geography and opportunity for vegetative screening present here, that minimize the visual impact of this tower and may not be present elsewhere on the campus.

Landscaping that creates vegetative screening of these buildings helps reduce their visual impacts. The Commission therefore imposes Special Condition #1, requiring the submittal of a landscaping plan to assure the proposed landscaping takes place, that only drought tolerant native and non-invasive plant materials be used, that landscaping be planted within 60 days of completion of the project and that the landscaping is maintained. In addition, Special Condition #3 requires submittal of final plans in substantial conformance with the submitted plans. In addition, with regard to signage, the applicant has indicated that only wall and directional signs are proposed through the new development and, therefore, they do not raise any visual resource issues.

In summary, as designed such that the tower structure will be well set back from North Torrey Pines Road and in an alignment such that it will be largely located behind and east of the tower structure from Phase I (as viewed from the west from North Torrey Pines Road which is a major coastal access route), the visual impact associated with the tallest proposed building has been reduced. In addition, no direct impacts to public ocean views will be affected by the project. Furthermore, landscaping around the project site will help to visually buffer the remaining structures as well as the tower structure, such that adverse impacts on visual resources have been reduced and the project will be compatible with the character of the surrounding area. Therefore, the Commission finds the proposed development, as conditioned, consistent with Section 30251 of the Coastal Act.

3. Public Access/Parking. Section 30252 of the Coastal Act states, in part:

“The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities...”

With respect to projects on UCSD’s Main Campus, which is not between the sea and the first coastal roadway, nor within walking distance of shoreline recreational areas, the primary concern is maintaining free-flowing traffic on the major coastal access routes surrounding the campus. These include I-5, Genesee Avenue, North Torrey Pines Road and La Jolla Shores Drive. The nearest physical accessway to the coast is in the La Jolla Farms residential area where there are two access trails through the coastal bluffs that lead to the ocean (Black’s Beach and Box Canyon), approximately two miles away from the subject site. The Commission has taken the position, in review of previous permit actions for the University, that on-campus parking problems on the main campus are not a Coastal Act issue unless they result in spill-over effects within the surrounding off-campus area, particularly North Torrey Pines Road and La Jolla Shores Drive, which serve as major coastal access routes. In the case of the subject proposal, the proposed project will result in the removal of all 557 parking spaces in the existing parking lot but will also include replacement of some of those spaces which will be used for staff and visitors in association with the student housing.

Currently, the site of the subject development consists of a parking lot (Lot P357 with 557 parking spaces.). As noted above, all of the parking will be removed from this lot to make way for the new student housing. The existing parking lot is primarily used for staff and student parking with some faculty and visitor parking. The housing component of the project would provide 15 parking spaces for on-site staff and visitors. The parking component of the project will provide 187 parking spaces to accommodate a portion of those who currently park on the site consisting of 155 parking spaces in the reconfigured "east" parking lot and 32 spaces in the residual "west" parking lot. The larger east parking lot would be constructed on the staging area for the housing project following completion of the housing component of the project. The west parking lot would be reconfigured, and will include superficial re-surfacing and re-striping of existing parking that would remain after demolition of the parking areas associated with the project. All residents of the project would be encouraged not to bring a car to campus, and if they choose to, would be required to park in off-site parking structures or parking lots. Located about 1,200 feet south of the project is the recently completed Hopkins Parking Structure with 1,395 parking spaces. Thus, the project results in a net loss of 355 parking spaces. The potential impacts to public access and parking/traffic circulation must therefore be addressed.

Although it is difficult to determine an approximate parking ratio for the wide variety of campus uses and facilities, especially when a large percentage of students live on campus, UCSD has indicated that they carefully monitor all campus parking with an objective of keeping 10% of their supply of on-campus parking vacant during peak periods and that they have never fallen short of meeting their parking objectives in the last 25 years. Surveys are conducted on a regular basis and they look at utilization on a per capita basis relative to the number of students, faculty and staff, etc. Due to a number of factors, including the increase in the cost of gasoline, recent surveys have documented that fewer people are utilizing their cars to get to the campus. UCSD has provided substantial information regarding parking, including results of their recent parking surveys which demonstrate that currently there are about 3,335 parking spaces available on campus at the time of peak demand, which equates to a vacancy factor of about 21%.

UCSD has also indicated that the highest occupancy rates occur for the parking facilities west of the freeway (I-5) and that there is much lower utilization on the east campus. As explained by the applicant, while there are over 2,500 available parking spaces on the campus during peak periods, other than in the east campus (out of the Coastal Zone), there are no large reservoirs of available parking. In fact, the number of spaces available has slightly increased due to use of alternative transportation. Parking lots for students, faculty and visitors are spread throughout the campus with small pockets of available spaces in the various lots. The largest reservoir of available parking spaces during peak periods occurs in the east campus, where recent surveys document 1,900 of the noted 2,500 available spaces are located. Within the north campus neighborhood as a whole, there are about 1,309 spaces of which 86% are occupied at peak occupancy. Similarly, to the south, about 89% of the 2,390 parking spaces in the Eleanor Roosevelt neighborhood typically are occupied at peak occupancy. However, according to the University, with use of the on-campus shuttle program, students and faculty can get from the east campus

to the west campus in just four minutes. UCSD has an excellent alternative transportation program which includes a shuttle program (along with a carpool program, vanpool program, train program, transit program, cycling program, and car-sharing program). A campus shuttle stop is located at the proposed project site to encourage alternative transportation.

As noted in the 2009 EIR, because the project site currently consists of a 557-space parking lot, development of the proposed housing complex over a majority of the site would also redirect many vehicles that currently park there to other areas of the campus where student, staff, faculty and visitor parking exists or would be re-allocated. Not all vehicles would be redirected, however, because there will be two residual non-housing surface parking lots proposed (the east and west lots) that would accommodate 187 parking spaces of those who currently park there now (ref. Exhibit No. 4). With reallocation of some student/staff/faculty/visitor parking to other parts of the campus, combined with the reduction in daily trips as a result of the resident students living on campus, there will be a localized reduction in trips in the North Campus area of the project site. As further noted by the project applicant, development of the proposed housing project would bring more resident students to the campus who would no longer need to commute to class on a daily basis, thereby eliminating student commute trips. The location of the proposed housing project inherently lends itself to student pedestrian traffic in lieu of automobile use.

As noted above, UCSD Transportation Services operates one of the largest successful alternative transportation programs in San Diego County for the UCSD population. It operates multiple free campus shuttles which provide connections throughout campus and to the University-affiliated off campus locations. More than half of the daily commuters to the UCSD campus are using alternative transportation modes to campus. UCSD's bike programs, free bus service for students, staff and faculty to and from locations such as Old Town and other parts of San Diego, UCSD's free shuttle bus service, MTS bus pass program, zip cars, car pooling and van pooling are major milestones for one of the nation's greenest universities. UCSD has also used its transportation demand management program to reduce drive-alone transportation behavior. Parking permit sales--an indication of the demand for drive alone transportation--have decreased even though the UCSD campus population has increased and the supply of parking has simultaneously decreased. Campus shuttle use has also increased as service has been expanded in recent years. According to the trip generation rates contained in the 2004 LRDP EIR traffic study, there is a 75% reduction in trips when a student lives on campus. (ref. EIR).

The 2008 UCSD parking lot vacancy rate increased by 8% over the 2004 rates. As explained by UCSD staff, the Winter 2009 occupancy rate was 79% compared to 77% in 2008 or 84% in 2004. However, because the base number of spaces are not constant, the vacancy percentages are not additive. The vacancy is a reflection of spaces used within a changing base. UCSD also just recently completed a survey regarding commute numbers and modes which indicated that their non-single occupancy vehicle commute population

is 54% of the campus commuting population. This represents an increase from 51% in 2008 and 34% in 2001.

With regard to potential traffic impacts and traffic circulation, as discussed in the final EIR, a traffic analysis was prepared by Kimley-Horn and Associates for the 2004 LRDP EIR. Planned campus growth and subsequent traffic impacts associated with this growth were addressed in the LRDP EIR. Although all trips associated with the implementation of the 2004 LRDP could result in adverse traffic and circulation impacts to certain off-campus roadway segments, intersections, freeway segments and freeway ramps within the University Community, UCSD is proposing to build housing which would eliminate student commuter trips to/from the campus. Campus shuttle use has increased as service has been expanded in recent years. According to the trip generation rates contained in the 2004 LRDP EIR traffic study, there is a 75% reduction in trips when a student lives on campus. As such, the proposed project would not result in additional traffic. The proposed project would eliminate existing parking lots and replace them with housing. By enabling existing and new transfer students to live on campus, the number of commuter trips to campus by the north campus resident population would be reduced. Also, limited parking availability at the project site (15 parking spaces) is expected to discourage students from bringing personal vehicles to campus. The traffic study concludes that the construction of the new student housing project would not have any adverse traffic impacts.

As noted earlier, the Commission has historically taken the position that the development that occurs on the main campus (east of North Torrey Pines Road) does not typically raise major coastal access concerns in terms of parking displacement since it's so well removed from the coast. However, the issue pertaining to traffic, cars and mobility and traffic congestion are all factors that could impact traffic circulation along major coastal access routes such as North Torrey Pines Road, and therefore these issues have been assessed in this report. Based on all of the information that UCSD has submitted, the Commission finds that the proposed development is consistent with the University's Draft Long Range Development Plan. The proposed development will allow UCSD to continue to strive to meet its goal of housing at least 50% of the projected student population. Furthermore, although the proposed development will result in a net decrease of parking spaces at the project site, the applicant has demonstrated that there will be a significant reduction in the number of vehicles brought to campus by the student housing project itself, which encourages students to live on campus and use the shuttle system and alternative transportation. In addition, if there is a need for parking above what can be provided at the project site, people will be re-directed to other parts of the campus where there is additional parking, such as the Hopkins parking structure located approximately 1/4 of a mile southeast of the proposed north student housing project. In addition, as earlier stated, even at peak periods, there is currently a 21% vacancy rate for all on-campus parking, thus demonstrating that adequate parking exists on the campus to accommodate the proposed Phase II student housing project. Also, with the continued implementation of UCSD's extensive shuttle system and other related alternative transportation programs, no traffic impacts on surrounding roadways is anticipated.

Therefore, the Commission finds the proposed development consistent with the applicable policies of the Coastal Act addressing parking and coastal access.

4. History of Torrey Pines Gliderport/Effect of Proposed Development on Gliderport Flight Path. One of the potential concerns with the proposed project is with regard to the tower structure's *potential* impacts to a "historic" flight path for fixed wing hang gliders¹ (most commonly referred to as fixed wing gliders) associated with the Torrey Pines Gliderport. The Torrey Pines Gliderport is situated near the coastal bluffs on City land at the western terminus of Torrey Pines Scenic Drive, approximately ½ mile west of the project site. Just east of this area is UCSD property.

The Torrey Pines City Park is located at the western terminus of Torrey Pines Scenic Drive. From the cul-de-sac of that roadway a direct parking lot extends further west. On the top of the coastal bluff is a grassy area where a trailer is situated at the City gliderport. There are also outhouses for public use, a concessions stand, picnic tables, and the like (some of those structures on the City portion of the site have not been permitted and are currently being reviewed in a separate enforcement action). Immediately north of this area is UCSD property which consists of a very large unimproved area (largely a level dirt parking lot). Further west is coastal sage scrub and some vegetation near the coastal bluffs. The direct parking lot is used at different times of the year for special events such as the Buick Invitational golf tournament. It is on the UCSD property that fixed wing gliders operate.

The gliderport is on the National Register of Historic Places on property owned by both the University of California and the City of San Diego. The property is currently undeveloped, except for some temporary buildings on the City-owned portion of the site. Recently, the Commission approved CDP #6-08-96 for a construction project on the property located across the street to the east from the North campus housing project. In that action, UCSD proposed a realignment of the gliderport runway such that all existing and proposed penetrations of the imaginary surface of the Gliderport runway will be completely removed. In particular, these intrusions included not only the building approved in that application, but also the 14-story UCSD student housing building which presently penetrates the approach surface on the east side of North Torrey Pines road. Through the proposed re-alignment, these structures would be located entirely outside of the approach surface and nearly outside of the "Transitional Surface".

In addition, UCSD has indicated that at no time (at least in the last 20 years) have fixed wing gliders been permitted to fly east of the North Torrey Pines Road because trees and overhead light structures along the road are obstructions that preclude safe landing from the east. Because the north campus housing project site is located east of the obstructions, it would not change how the gliderport is used. Again, it is important to note that the project will be located in an area east of North Torrey Pines Road that has not and will not be used as an approach to the gliderport runway due to large trees at the

¹ A fixed wing hang glider, also known as a rigid wing hang glider, is a hang glider that utilizes a stiff wing rather than a mylar wing. The stiffness of the wings allows for the hang glider to obtain greater glide distance because of the lower drag coefficients.

eastern end of the runway that already preclude east-to-west glider flight approaches, including any path over the project site. Therefore, the proposed project would not change these existing conditions and does not have any direct impact on the historic flight path that is currently used or on overall gliderport operations.

5. Water Quality. Sections 30230 and 30231 address water quality and state the following, in part:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored....

Section 30231

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,

The proposed project involves the replacement of approximately s of parking with a community village containing 8 proposed buildings, a fire lane, landscapes, walkways and adjacent parking lots. Specifically, the project includes demolition of an existing parking lot and construction of six buildings to serve as graduate student housing facilities, dining facilities, parking area, roadway and landscaped common areas on a 5.0 acre site that is approximately one-half mile away from the coastal bluffs above the ocean. The ocean area west of the subject site has been designated by the State Water Resources Control Board 2005 California Ocean plan as an Area of Special Biological Significance (ASBS). According to the California Ocean Plan, ASBS' are:

...those areas designated by the State Water board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable.

The proposed development of the site will not significantly change the topography of the site or alter the existing runoff pattern. The proposed project is not expected to increase the amount of impervious surface at the UCSD campus because the entire project site is already developed with hardscape features (buildings and parking lots). Runoff from the proposed building site will continue to drain into the existing storm water system in the project area, as appropriate. The applicant has indicated that runoff that leaves the developed site will be reduced by 18%, and that impervious area will be reduced from 4.2 acres to 3.7 acres. Additionally, the applicant indicates that permanent water quality measures will be implemented at the site including: detachment of impervious surfaces, roof drains directed to landscape, elimination of dry weather runoff as well as

maintenance of the existing landscaped and unimproved areas, and adding a perforated under-drain system in landscaped areas to allow for storm water infiltration.

The construction phase of development, along with post-construction runoff from impervious and landscaped areas, has the potential to impact coastal water quality. Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require water quality measures including site design, source control and treatment control Best Management Practices indicated in Special Condition #2.A. designed to address runoff from the site as well as to address potential for sedimentation during the construction stage of the project. These BMPs are consistent with UCSD's Storm Water Management Plan and BMP Handbook.

A Storm Water Pollution Prevention Plan will be prepared for the project site prior to any work being performed on site. As noted in the environmental documents and Hydrology Study, specific site design and source control measures are required to be implemented that will minimize water quality impacts as indicated in Special Condition #2.A. Site design control measures for housing and parking include: minimizing directly connected impervious surfaces by draining rooftops and impervious surfaces to landscape areas; extensive integrated landscaping, incorporating a perforated under-drain system; using pervious concrete asphalt/concrete for paved parking lots; and developing a system of low impact sustainable features such as curb cuts and bioswales or infiltration/detention basins. Source control measures include: providing stenciling of storm drains; designing outdoor trash and material storage areas through measures such as covered storage facilities or secondary containment; and using efficient landscape and irrigation systems. As noted in the environmental document for the proposed project, erosion and sedimentation control measures will be implemented to prevent the temporary discharge of sediments into drainage or stormwater systems to reduce potentially significant impacts to a level of below significance. The project is also conditioned, through Special Condition #2, to require specific measures to be implemented during construction of the proposed development that will minimize water quality impacts. These measures include avoiding construction during the rainy season, implementing erosion and sediment control BMPs, properly containing and storing chemicals and other construction-related materials, and properly disposing of trash and debris.

Special Condition #2 also requires the applicant to implement post-construction BMPs, including minimizing the amount of impervious surface, minimizing the use of irrigation and fertilizers, directing drainage from all impervious areas through structural BMPs such as vegetative or other media filter devices effective at removing and/or mitigating pollutants, sweeping the parking lots with a vacuum regenerative sweeper on a weekly basis, and on-going maintenance of the drainage and filtration system. Specific treatment BMPs for the housing and parking components include: installing catch basin filter inserts in catch basins, directing runoff into site landscaping prior to discharge into the storm drain system, and creating bioretention systems that use surface vegetation, ground cover and underlying filter soils to enhance filtration capacity. In addition, all structural BMPs must be designed to treat, infiltrate, or filter stormwater runoff from

each runoff event up to and including the 85th percentile, 24-hour runoff event and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor for flow-based BMPs.

The Commission's water quality staff has reviewed the project and has concluded that with the implementation of these BMPs, the potential water quality impacts resulting from the proposed development will be reduced to the maximum extent practicable. Therefore, the Commission finds that the proposed development, as conditioned, is consistent with Sections 30230 and 30231 of the Coastal Act.

6. Local Coastal Planning. The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically the Scripps Institution of Oceanography (SIO) campus is within the La Jolla Shores segment of the City's LCP. UCSD does, however, have the option of submitting an LRDP for Commission review and certification.

While UCSD has submitted a draft LRDP, its EIR and topographic maps to the Commission staff informally, as an aid in analyzing development proposals, the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the future. The proposed development is consistent with the University's draft LRDP to accommodate campus growth.

As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Since the proposed development, as conditioned, has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project, will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

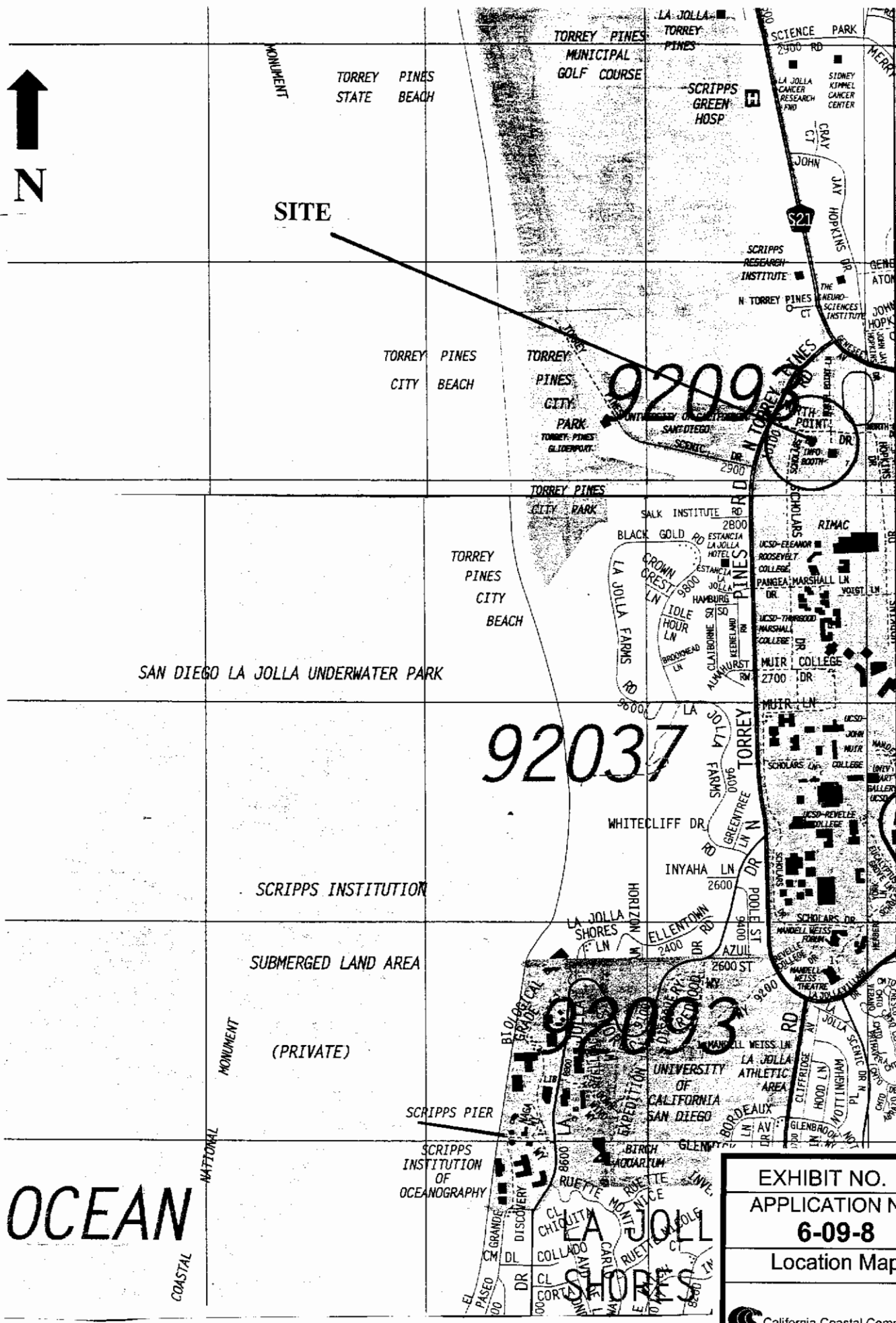
7. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of 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.

UCSD is the lead agency on this project for purposes of CEQA review. It issued an environmental impact report for this project. The proposed project has been conditioned in order to be found consistent with the visual resource, public access and water quality policies of the Coastal Act. Mitigation measures, including conditions addressing landscaping and water quality, 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 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.



SAN DIEGO LA JOLLA UNDERWATER PARK


SCRIPPS INSTITUTION

SUBMERGED LAND AREA

(PRIVATE)

OCEAN

COASTAL

EXHIBIT NO. 1
APPLICATION NO.
6-09-8
Location Map
 California Coastal Commission

14-story tower residence hall
(permitted pursuant to CDP #6-06-146)

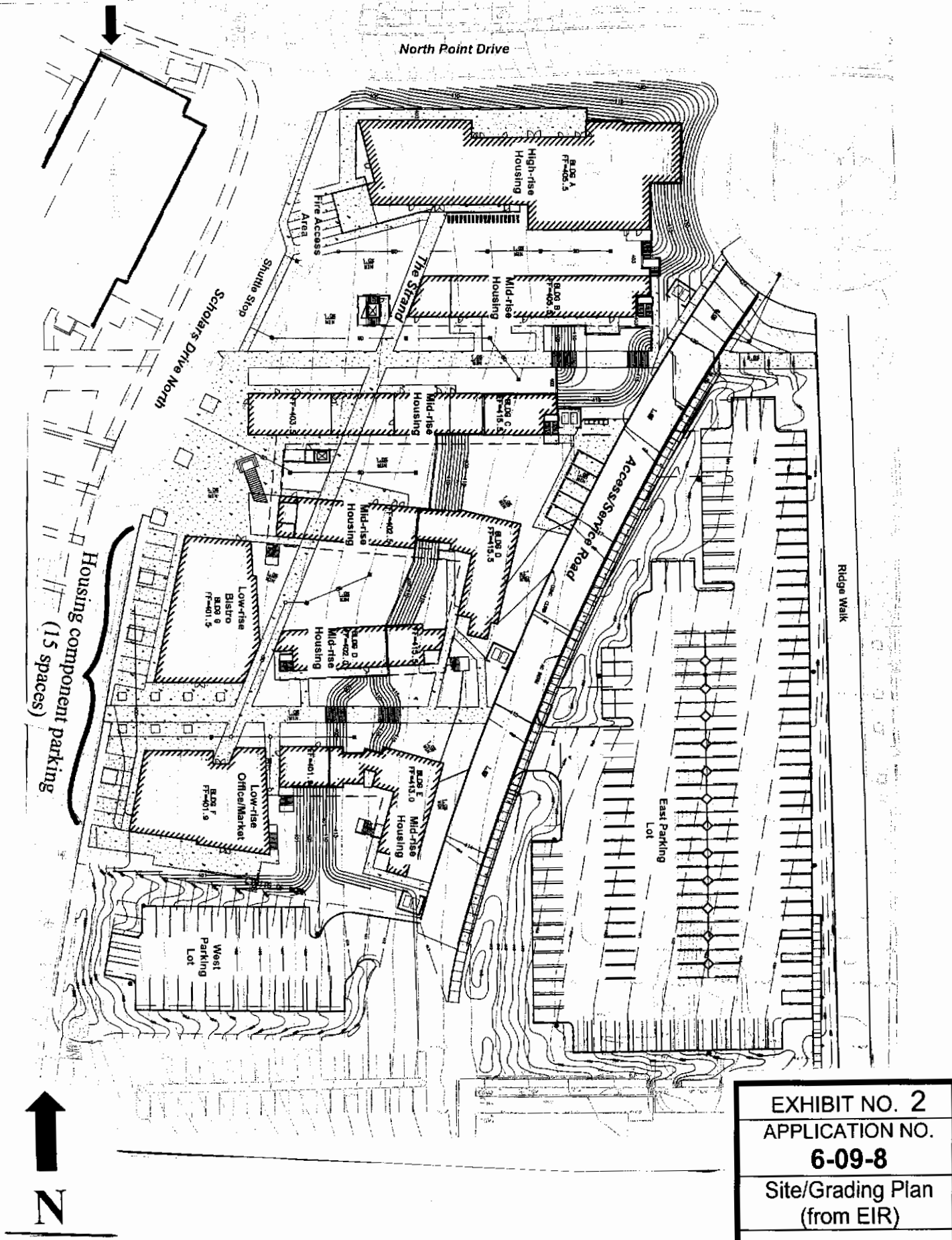




EXHIBIT NO. 2
APPLICATION NO.
6-09-8
Site/Grading Plan (from EIR)
 California Coastal Commission

AERIAL OF SITE AND SURROUNDINGS

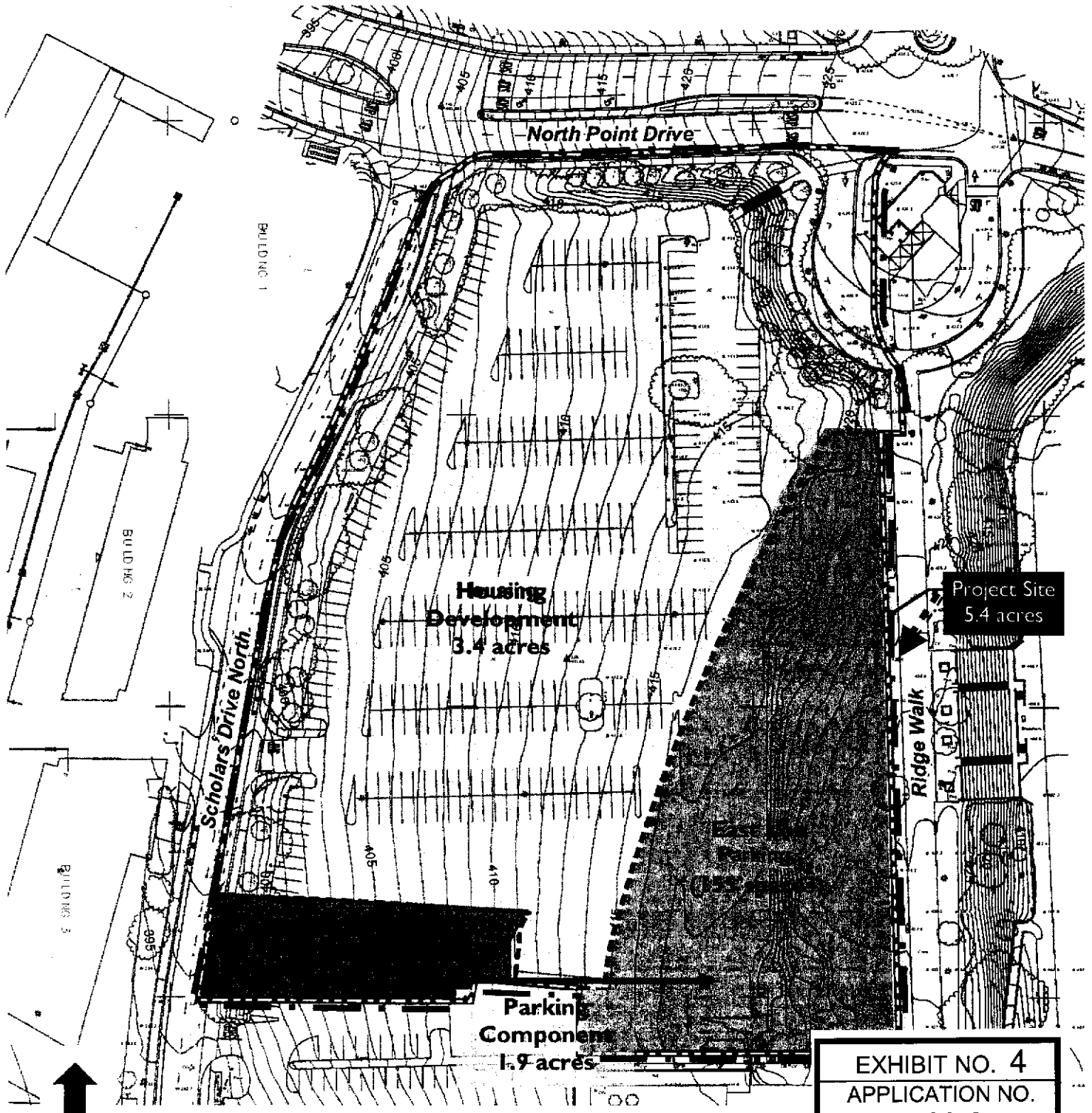
North Campus Housing Phase 2



EXHIBIT NO. 3
APPLICATION NO.
6-09-8
Aerial of Site and Surroundings
 California Coastal Commission

SITE TOPOGRAPHY AND LAYOUT

North Campus Housing Phase 2



Project Site
5.4 acres

Housing
Development
3.4 acres

Parking
Component
1.9 acres

EXHIBIT NO. 4
APPLICATION NO.
6-09-8
Site Topography & Layout

VISUAL SIMULATION OF PROJECT

North Campus Housing Phase 2

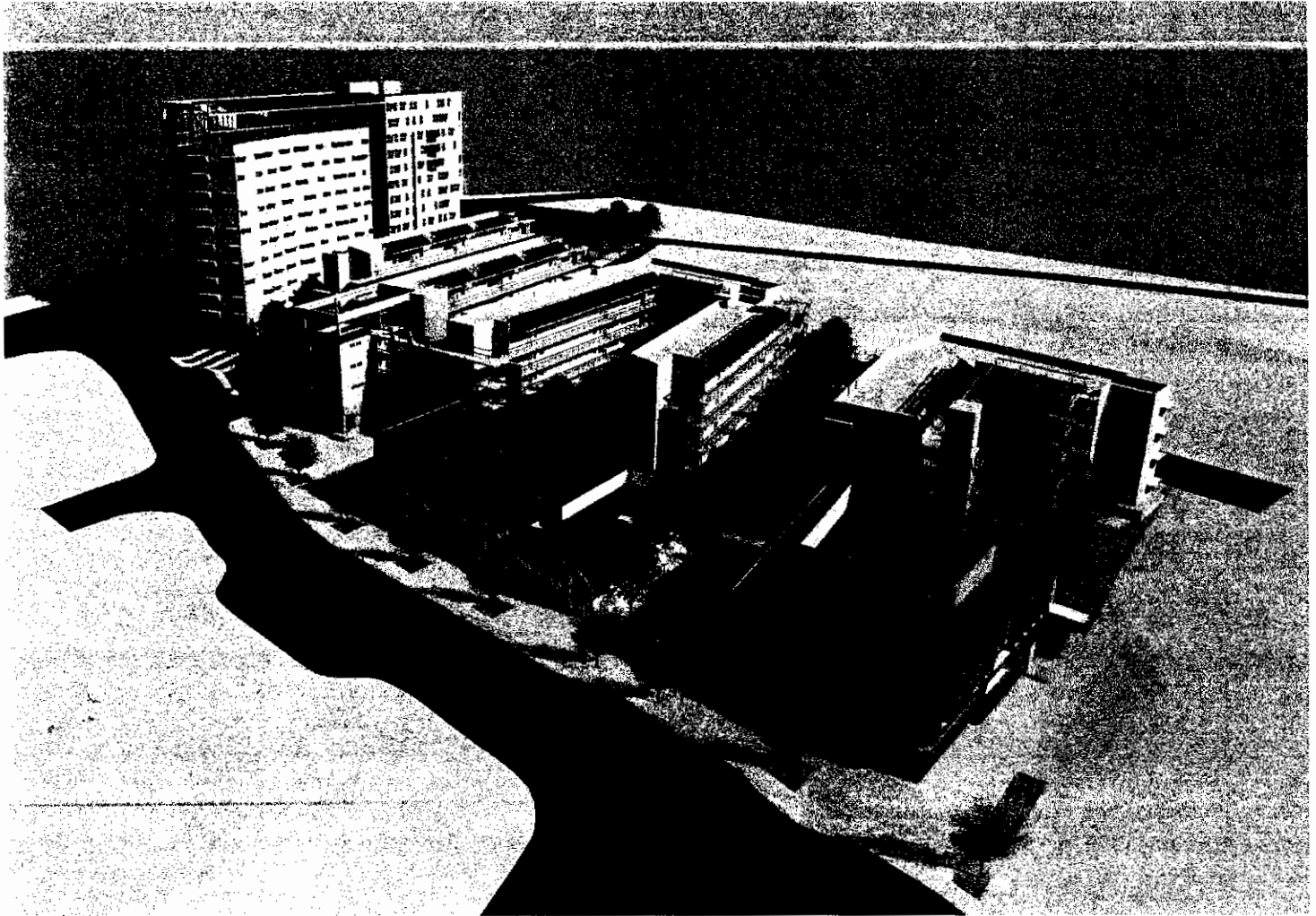


EXHIBIT NO. 5

APPLICATION NO.

6-09-8

Visual Simulation

 California Coastal Commission