

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

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Permit Application No. 6-96-91/WNP
Date July 25, 1996

ADMINISTRATIVE PERMIT

APPLICANT: Edwin Senger

PROJECT DESCRIPTION: Construction of a 480 sq. ft. classroom addition to an existing 1,908 sq. ft. preschool/daycare facility on a 9,600 sq. ft. lot.

PROJECT LOCATION: 2606 Jefferson Street, Carlsbad, San Diego County, APN 155-271-1502

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: August 14, 1996 LOCATION: Crowne Plaza - Holiday Inn
10:00 a.m., Wednesday 5985 West Century Boulevard
Los Angeles, CA

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: _____

Bill Ponder

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

Proposed is the construction of a 480 sq. ft. classroom addition to an existing 1,908 sq. ft. preschool/daycare facility on a 9,600 sq. ft. lot. The subject site is located on the inland side of Jefferson Street in northern Carlsbad. Jefferson Street serves as the first coastal roadway, located between the subject site and Buena Vista Lagoon. The surrounding area includes a mix of single and multi-family residential development with such

development located on the lagoon side of Jefferson Street, blocking views from the site to the lagoon. The addition would be to the front of the structure near Jefferson Street. Approximately 36 students attend the facility.

Policy 7-10 of the certified Mello II LUP states that new development must conform to the parking standards of the City's parking ordinance. The day care facility is permitted in the R-3 (multiple family) zone by right; however, the existing use is non-conforming in that no parking is provided on-site. According to a City representative, the day care facility was established before the passage of the certified LCP parking standard of one parking space for every 10 students. Regarding the presently proposed project, the certified LCP zoning ordinance requires that a non-conforming use may be altered as permitted by the Planning Commission through a Conditional Use Permit. In this case, the City is not requiring any discretionary approvals, finding that the proposed project would not add additional student capacity to the existing facility. That is, the proposed addition is meant to serve only the existing student body and is not considered an intensification of use of the structure. For that reason, the City found that the proposed addition is consistent with the provisions of the certified LCP as the project would not intensify the use of the site by providing additional building capacity for new students.

Additionally, the Carlsbad Mello II segment LCP calls for a lateral public access pathway along the south shore of Buena Vista Lagoon, which is not yet constructed. The Commission's concern associated with insufficient on-site parking in this area would be related to the need for on-street parking to serve public access to the recreational resources located at Buena Vista Lagoon. In this particular case, there is a public parking area and park located further to the east off Jefferson Street which are adequate to serve the areas of the lagoon where formalized public recreational and access opportunities are provided. There are no informal access points or developed facilities for the lagoon, which are used by the public, in the immediate area of the subject site. Thus, the Executive Director has found that public access would not be adversely impacted to and along Buena Vista Lagoon by the proposed project. Additionally, the project site is well-removed from the ocean shoreline and would not result in the loss of public parking that would serve beach visitors. Finally, as noted, the project is minimal in size and, as proposed by the applicant, would only serve the present student body. Based on the above, the Executive Director determines that the subject proposal is consistent with the policies of the certified Carlsbad Mello II segment LCP.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

6091R