

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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 Staff: DL-SD
 Staff Report: July 17, 1996
 Hearing Date: August 13-16, 1996

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-96-95

Applicant: Solana Del Mar Partners Agent: Marc Perlman

Description: Demolition of existing single-family residence and construction of five two-story, detached single-family residences with condominium ownership, each approximately 2,607 sq.ft., on a 20,473 sq.ft. gated lot.

Lot Area	20,473 sq. ft.
Building Coverage	6,130 sq. ft. (30%)
Pavement Coverage	7,200 sq. ft. (35%)
Landscape Coverage	4,643 sq. ft. (23%)
Unimproved Area	2,500 sq. ft. (12%)
Parking Spaces	17
Zoning	MHR
Plan Designation	Medium High Residential (8-12 du/ac)
Project Density	10.6 du/a
Ht abv fin grade	29 feet

Site: 838 South Cedros Avenue, Solana Beach, San Diego County.
 APN 298-420-07.

Substantive File Documents: County of San Diego Certified Local Coastal Program (LCP); City of Solana Beach Draft Land Use Plan; City of Solana Beach Tentative Map 17-96-01.

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Disposal of Graded Spoils. Prior to the issuance of the coastal development permit, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the demolition of an existing single-family residence and detached garage, and construction of five detached, two-story single-family residences, each approximately 2,607 square feet. The five homes will be located on one 20,473 sq.ft. gated lot, under condominium ownership. The site is located on the east side of South Cedros Avenue, approximately 200 feet north of Via de la Valle, and one block east of Highway 101, in the City of Solana Beach.

Site preparation for development of the lot will result in approximately 3,750 cubic yards of export material. Because an export site has not yet been identified, Special Condition #1 has been attached, which requires the applicant to identify the export site, and obtain all required permits if the site is located within the coastal zone.

2. Visual Impact/Community Character. Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas be protected and the permitted development be sited and designed to protect views to and along the ocean, minimize the alteration of natural landforms, and be visually compatible with the character of surrounding areas. The area around the proposed development is an established residential neighborhood consisting of a mix of single-family and multiple-family dwelling units. The proposed single-family development will be compatible with the types of uses in the area. The proposed structures will be partially visible from Via de la Valle and Highway 101, both major coastal access routes. Highway 101 is a designated scenic highway in the certified County LCP and the Solana Beach draft Land Use Plan. However, the applicant has submitted a landscape plan indicating that a variety of trees and shrubs will be planted around the perimeter of the development. An existing large (48-inch diameter) Torrey Pine tree on the western edge of the property will remain. The wood and stone siding proposed for the structures will be consistent with the character of the surrounding neighborhood. No public views of the ocean will be blocked by the construction. Thus, as the proposed project will not have an adverse

visual impact, the Commission finds the proposed development consistent with Section 30251 of the Coastal Act.

3. Public Access/Parking. Section 30252 of the Coastal Act requires that new development provide for adequate parking facilities so as not to compete with or preclude the public's access to the coastal area by usurping on-street public parking spaces. Because inadequate parking and congestion interfere with public access opportunities, the provision of adequate off-street parking is critical for all commercial, recreational and residential development in near shore areas.

As noted above, the project site is located one block east of Highway 101 and approximately 200 feet north of Via de la Valle. The project involves construction of a small (five units) gated community. The nearest beach access opportunities in the vicinity are a visual overlook at the western terminus of Via de la Valle, and Del Mar Shores Beach Park, located south of the intersection of Via de la Valle and Highway 101. The streets surrounding the site are occasionally used for beach parking during the peak season.

However, adequate parking for the proposed development will be provided on the project site. There will be three on-site parking spaces provided for each residential unit, and a total of two on-site guest parking spaces. There is an existing single-family residence on the project site, and there are no existing access opportunities on or through the site which would be impacted by the more dense development proposed, or displaced by the proposed gated access. Therefore, as no impact to parking or access opportunities will result from the proposed development, the Commission finds the project consistent with Section 30252 of the Coastal Act.

4. Local Coastal Planning. Section 30604 (a) requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The subject site was designated for residential development at a density of 10.9 dwelling units per acre in the previously certified County of San Diego LCP which, although it no longer applies in this area since the incorporation of the City of Solana Beach, is used for guidance in Solana Beach. The City of Solana Beach has zoned and designated this area for Medium High Residential development (8-12 du/ac) in their draft Land Use Plan, and the proposed residential project (10.6 du/ac) is consistent with this designation. The site was not subject to any of the special area overlays established in the County LCP. As conditioned, the project is consistent with all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources will result. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable Local Coastal Program.

5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's administrative regulations requires

Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

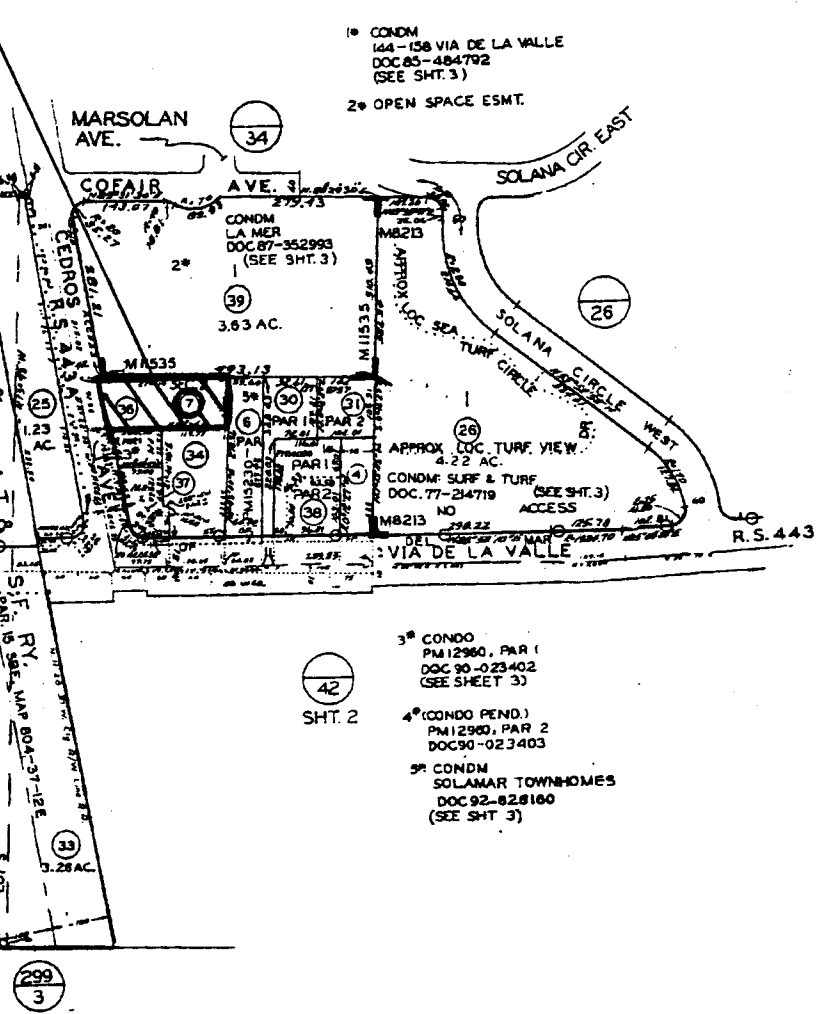
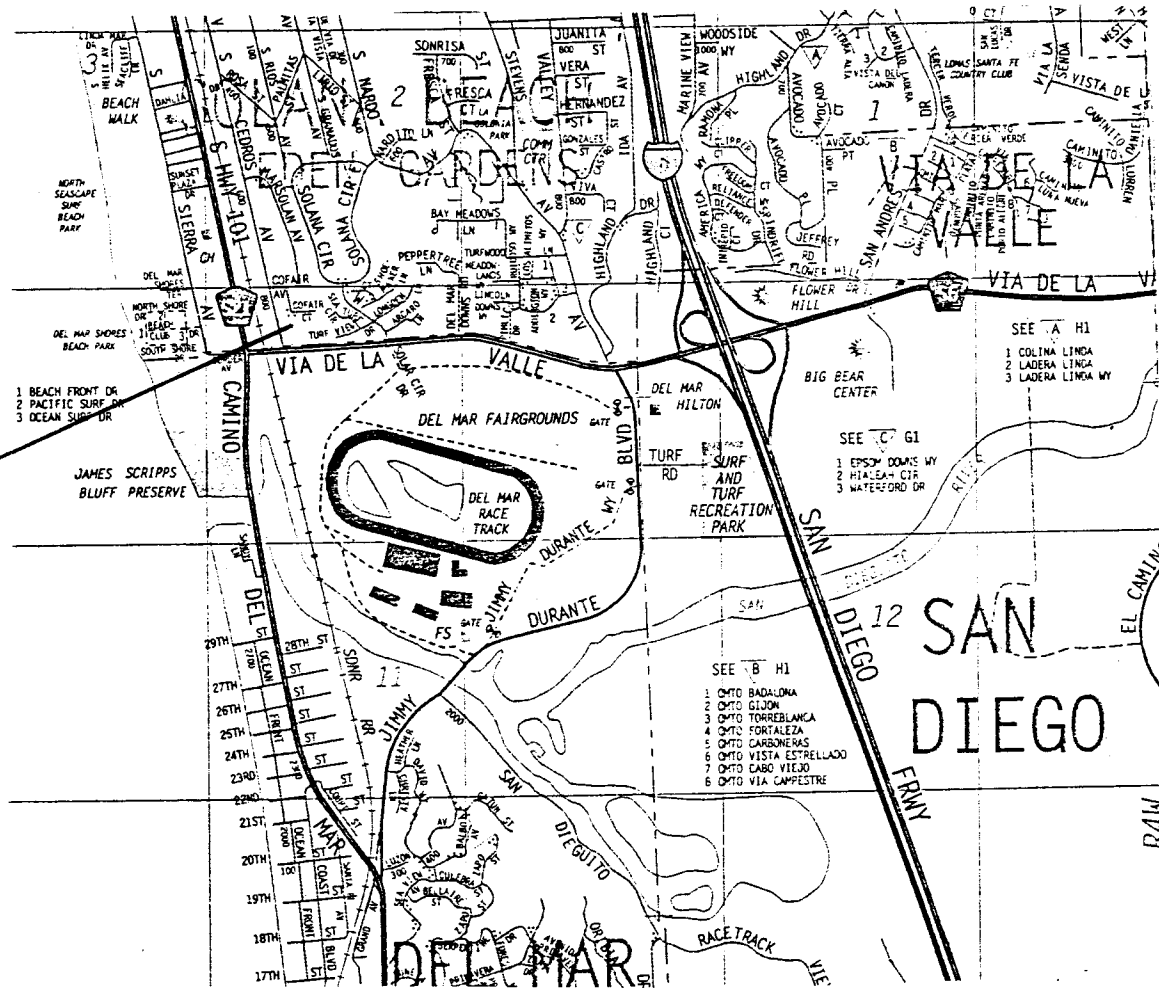
The proposed project has been found consistent with the visual quality and access policies of the Coastal Act. Mitigation measures, including identification of an export site for graded material, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible 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, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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.

(6095R)

SITE



1. CONDM
64-158 VIA DE LA VALLE
DOC 85-484792
(SEE SHT. 3)

2. OPEN SPACE ESMT.

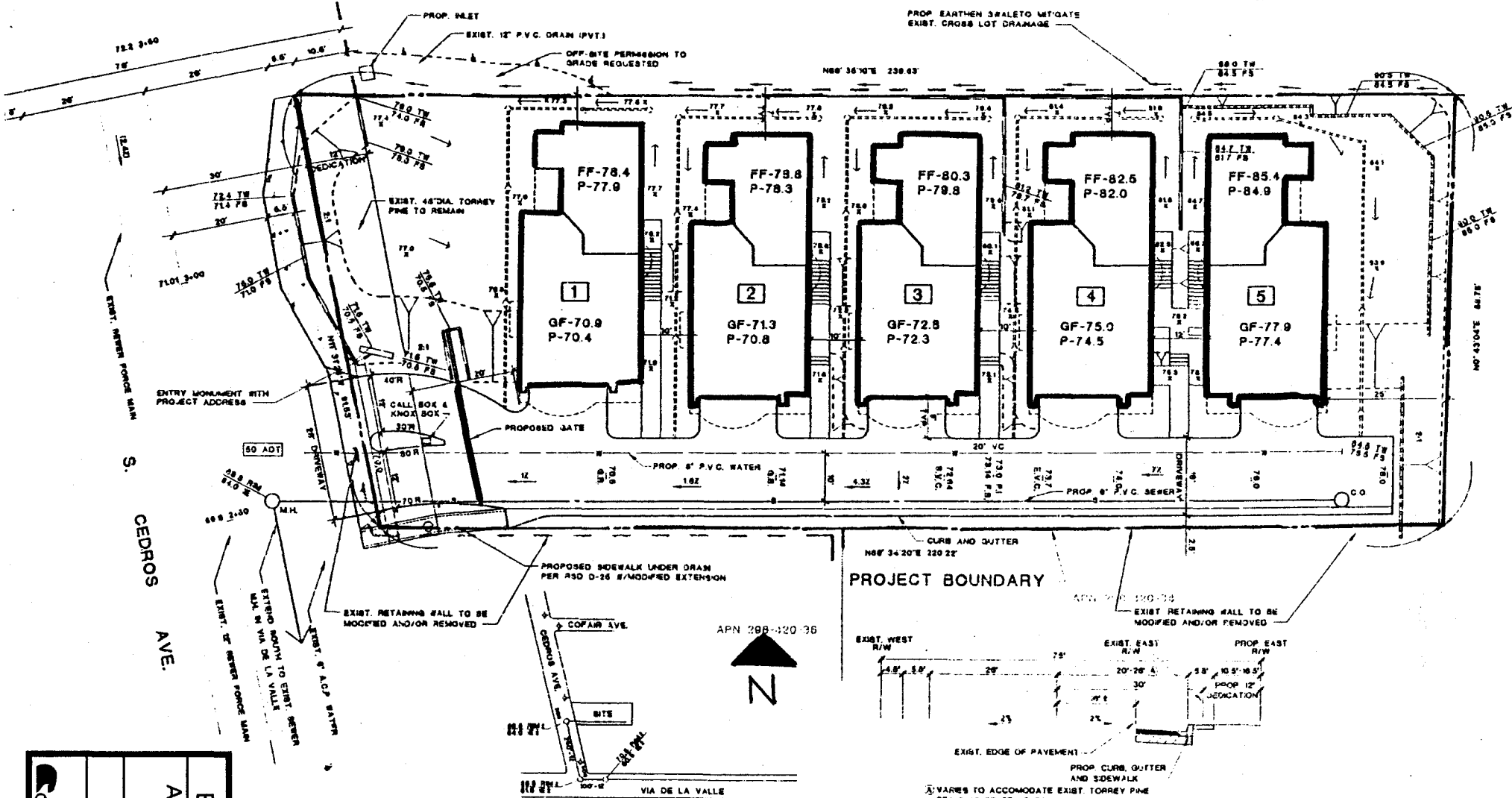
3. CONDO
PM 12960, PAR 1
DOC 90-023402
(SEE SHEET 3)

4. (CONDO PEND.)
PM 12960, PAR 2
DOC 90-023403

5. CONDM
SOLAMAR TOWNHOMES
DOC 92-828160
(SEE SHT. 3)

EXHIBIT NO. 1
APPLICATION NO.
6-96-95
Location Maps
California Coastal Commission

APN 394 120 39



FIRE HYD. AND STREET
LIGHT LOCATIONS 300' RAD.
SCALE: 1" = 200'

PROJECT BOUNDARY
CURB AND GUTTER
N66° 34' 20" E 220.22'
EXIST. WEST R/W
EXIST. EAST R/W
PROP. EAST R/W
EXIST. EDGE OF PAVEMENT
PROP. CURB, GUTTER AND SIDEWALK
VARIES TO ACCOMMODATE EXIST. TORREY PINE
STA 3+43 TO STA 3+34
SOUTH CEDROS AVENUE
FROM STA. 2+43 TO STA. 3+34
NO SCALE

<p>California Coastal Commission</p>	<p>EXHIBIT NO. 2</p>
	<p>APPLICATION NO.</p>
	<p>6-96-95</p>
<p>Site Plan</p>	