

CALIFORNIA COASTAL COMMISSION

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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-97-60

Applicant: City of San Diego Metropolitan
Wastewater Department

Agent: Tim Daly

Description: Demolition of paint shed/warehouse and Odor Control Building No. 6 and construction of the North Operations Building consisting of a three-level, 22,305 sq.ft. building and Odor Removal System No. 1 consisting of a one-level, 7,405 sq.ft. structure, and the addition of 56 parking spaces and installation of landscaping.

Site: Point Loma Wastewater Treatment Plant (PLWTP), 1902 Gatchell Road, Peninsula, San Diego, San Diego County. APN 532-520-06

Substantive File Documents: Certified Peninsula Land Use Plan and City of San Diego LCP Implementation Ordinances; Environmental Impact Report/SCH No. 94-101024 - dated 2/23/96; CDP #s 6-89-217 & 6-96-45; Geotechnical Reports by Leighton and Associates dated 1/18/96 and 5/1/97; Report on Landscape, Architectural and Aesthetic Improvements to the Point Loma Wastewater Treatment Plant - 5/6/96; Workshop on Visual Impacts: Discussion Paper on Design Elements and Buffering Techniques for Developments Situated in Scenic Areas or Viewsheds - 9/26/95.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed development subject to special conditions requiring submittal of final plans which document that the proposed structure has been constructed in accordance with the recommendations contained in the geotechnical investigation; a final color palette; and, final landscape plans. Staff is also recommending that the Commission endorse the City's proposed color scheme for the Point Loma Wastewater Treatment Plant which will be applicable to all future development at the facility, and to previously-approved coastal development permits, when amended.

PRELIMINARY 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. 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:

a) the North Operations Building which document the proposed facility will be constructed in accordance with the recommendations contained in the geotechnical reports by Leighton and Associates dated 1/18/96 and 5/1/97;

b) the proposed color palette for the entire PLWTP, in substantial conformance with the color sample submitted on 6/3/97 in association with CDP #6-96-137, and the Report on Landscape, Architectural and Aesthetic Improvements to the Point Loma Wastewater Treatment Plant dated 5/6/96.

c) a detailed landscape plan indicating the type, size, extent and location of all plant materials and the proposed irrigation system. The irrigation system shall be located a minimum of 40 feet from the bluff edge. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. The proposed development consists of demolition of a paint shed/warehouse, Odor Control Building No. 6 and an asphalt concrete parking lot and construction of the North Operations Building (NOP) and Odor Removal System No. 1. The new North Operations Building (NOP) will consist of a three-level, 22,305 sq. ft. building. The lower level of the structure will be partially subterranean. The new Odor Removal System will consist of a one-level, 7,405 sq. ft. structure. Also proposed is the addition of 56 parking spaces and installation of landscaping. Proposed grading associated with the project includes a total of 9,700 cu. yds. of cut and 150 cu. yds. of fill with the remainder of the cut material to be exported to a location outside of the coastal zone (Miramar landfill). The NOP will include space for operations equipment, engineering and plant offices, and employee support facilities.

The PLWTP is located at the southern end of the Point Loma peninsula in the City of San Diego. The project site is located at the north end of the PLWTP. The facility provides sewage treatment for the City of San Diego and 14 other local jurisdictions. Cabrillo National Monument is located to the south of the plant and the U.S. Navy owns land to the north and east. The Pacific Ocean lies directly west of the project site.

2. Geologic Hazards/Shoreline Erosion. Coastal Act Section 30253 states, in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood and fire hazard.
- (2) Assure stability and structural integrity, neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. ...

As noted above, the project site is part of a large blufftop property on a broad shelf, midway down the bluff-face from the top of the Point Loma peninsula. Some of the existing facilities are in close proximity to the bluff edge, and the outfall itself extends seaward down the bluff then underwater approximately two miles out to sea. The original PLWTP facility was constructed in the 1960s, predating the Commission by several years. Since then, many improvements and expansions of the facility have gained Commission approval, as regional growth has demanded larger and improved sewage treatment. Most of these improvements are described in the master plan for the PLWTP, as are the proposed improvements. In 1989, after it was determined that coastal erosion threatened the PLWTP, the Commission approved Coastal Development Permit #6-89-217, for extensive shoreline stabilization. This included augmentation of existing rip-rap, seawall repair and new construction, and repair of previously-filled sea caves, among other things. In addition, pursuant to CDP #6-95-45, additional shoreline stabilization (North Shoreline Protection Improvements) was also recently approved by the Commission. These latter improvements are located immediately seaward of the subject proposed improvements. The newer protective works

included a rock revetment at the base of the coastal bluff and a 30 foot-high, 175-foot wide tied-back shotcrete wall on the upper bluff.

Just past the security gate entrance to the plant site, there are three primary roads on which the majority of the treatment plant improvements are situated. First Street is the road furthest to the west and closest to the coastal bluffs. Second Street is more inland to the east, and Third Street is the easternmost street. The proposed North Operations Building will be located west of First Street. The new Odor Removal System No. 1 will be located south of the NOP on the east side of First Street. The proposed location of the North Operations Building will be in the same vicinity as the structures to be demolished, however, the Odor Removal system No. 1 is proposed to be located further inland on the east side of First Street, south of the proposed NOP (reference Exhibit No. 2).

It has been documented in earlier permits for this site that the entire facility is located in an area which is extremely environmentally and geologically sensitive. Any improvements to the facility must be reviewed carefully in order to assure that impacts do not occur to fragile coastal resources. As noted above, the Commission has approved two past permits for the construction of shoreline protective works and inasmuch as there is already existing shoreline protection immediately seaward of the project site, the proposed improvements herein should not warrant the construction of any future shoreline protection devices, pursuant to Coastal Act Section 30253.

All of the proposed improvements are located inland from the coastal bluffs. The proposed parking facilities will be located immediately north and west of the North Operations Building. The proposed landscaping will be located around the perimeter of the North Operations Building. These existing plant facilities proposed to be removed through the subject permit include an existing asphalt area which is located approximately 8 feet, at the closest point, to the edge of the slope/existing shoreline protective works. The existing paint shed/warehouse itself is situated about 50 feet from the original top of bluff, at its closest point. The newly proposed improvements, namely, the North Operations Building, will be sited 28 1/2 feet inland of the original top of bluff at its closest point and approx. 47 feet at its furthest point. By comparison purposes, these improvements will be located between 34 and 47 feet landward of the existing north shoreline protection improvements.

Geology reports by Leighton and Associates, Inc. have been submitted for the proposed project which state that the proposed structure (NOP) is proposed to be sited far enough east of the top of the new coastal bluff (top of wall of existing shoreline protective works) to not significantly adversely affect bluff stability and that the proposed NOP is designed in a manner such that it will neither be subject to nor contribute to significant geologic instability throughout the lifetime (75 years) of the proposed project. The report further indicates that the proposed development is feasible from a geotechnical standpoint provided that the recommendations contained in the report are incorporated into the project design. Essentially, those recommendations pertain to the removal of fill soils from the site and the foundation design of the proposed structure. Special Condition No. 1 has been attached

which requires the applicant to submit final plans consistent with the recommendations of the geology report.

With regard to potential construction impacts, the laydown/staging areas will be located immediately north of the proposed NOP in the area which will be paved for the additional parking proposed with the project. As such, no impacts to any coastal resources will result from the location of the proposed staging areas. Approx. 8,000 cy. of excavated material will be exported to a location outside of the coastal zone.

The nature of the PLWTP facility is such that relocation of the plant is not a feasible alternative since it is essentially built-out and any vacant land has already been designated to future expansion of wastewater treatment needs. The City has made a substantial commitment of resources to this location and has sought to secure existing developed area from the effects of coastal erosion. The proposed project has been designed to minimize impacts on natural shoreline processes and will neither create nor contribute significantly to increased erosion or geologic instability, consistent with Section 30253 of the Coastal Act.

3. Visual and Scenic Resources.

a. Proposed Color Scheme for Point Loma Wastewater Treatment Plant. Coastal Act Section 30251 provides:

"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, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."

In addition, Section 30001 of the Act declares that "the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation." As part of the proposed project, the City is seeking approval for changes to the color scheme at the plant facility based on recommendations contained in a report entitled, "Landscape, Architectural and Aesthetic Improvements to the Point Loma Wastewater Treatment Plant" dated 5/6/96. In so doing, the City is also requesting that the Commission agree to process amendments to previous permits for all past approved projects at the plant which required that "earthtone" colors be used on proposed structures. The City met with Commission staff approx. one year ago to informally present the proposed colors and design treatment for the plant facility. The City would also like the new color scheme to be applied to all current and future projects at the PLWTP. The report compiles input from many sources including representatives of the Cabrillo National Monument, the U.S. Navy, community planning groups, citizen oversight committees and

the Commission for Arts and Culture and employees of the treatment plant facility. The proposed color palette for the PLWTP is partially illustrated in the above-referenced report.

The proposed color scheme, along with the landscape and design report, has been approved by the City Council. The proposed colors will be systematically used through the plant facility. Certain colors will be used for particular types of elements so that they can be applied in a consistent manner over time, for various improvements. According to the landscape report, the purpose of the color palette is to "...unite the operational buildings, tanks, pumps, odor control towers, and other man made structures,..." while also considering the plant's setting in the natural environment which is surrounded by coastal bluffs and hillsides, the latter of which contain coastal scrub vegetation, as well as taking into account the setting against the sea and sky.

The City's request to implement the proposed color scheme does not require a coastal development permit in and of itself, rather, it will be implemented as a condition of approval because numerous past permits approved by the Commission at the plant site have required a special color treatment for new buildings. The City has submitted a color sample which contains colors which are specifically intended for the Power Generation Distribution and Upgrade project (6-96-137). However, the City intends to implement these same colors at the entire treatment plant. The colors that the City is proposing are inconsistent with what the Coastal Commission has historically approved in terms of proposed colors for new structures in scenic areas and more specifically, are inconsistent with the condition language approved for the plant site itself. The Coastal Commission has approved numerous projects at the treatment plant in recent years with the following special condition:

1. Final Plans/Construction Materials. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, final plans which document the proposed facility (i.e., whatever structure is being proposed) shall be of an earth tone color to blend in with the natural setting of the existing bluffs in the area.

As was noted in the Report entitled, "Workshop on Visual Impacts: Discussion Paper on Design Treatments and Buffering Techniques for Developments Situated in Scenic Areas or Viewsheds" dated 9/26/95, which was presented to the Commission at its October 1995 Hearing in San Diego, the Commission and local governments, have incorporated the requirements of the Coastal Act in development in a variety of ways along the state's coastline. Most local governments have architectural committees or design review boards along with ordinances which regulate height, bulk, style, color and landscaping for new development. The Commission has usually deferred to the policies of the local governments to determine the appearance of their communities. However, in certain, specific areas of the coastline, the Commission has traditionally required that new development implement design measures and techniques to mitigate the adverse visual impacts associated with the new development and to visually buffer the development so that it blends in with the surrounding natural environment. One of these methods includes use of earthtone colors vs. white or bright colors. These requirements are only placed on new development that will be visible

from public areas, scenic areas, major coastal access routes and so on. The special condition often used by the Commission requires that building exterior and materials be restricted to earth tones, including deep shades of green, brown and gray, with no white or light shades and no bright tones, except as minor accents in order to minimize the development's contrast with surrounding natural scenic area, such as coastal bluffs, hillsides, lagoons, estuaries and wetlands.

The PLWTP is located in a scenic coastal area near the tip of the Point Loma peninsula which is visible from offshore by passing boats as well as partially visible from various points at the Cabrillo National Monument to the south. Since the facility is in a very scenic natural setting adjacent to coastal bluffs, the use of the condition requiring that exterior of buildings be of an earth tone color has typically been required at this location in the past to mitigate new proposed development so that it would blend in with the coastal bluffs. In addition, retaining walls, etc. have also been required to be of an earthtone color in order to blend in with the natural hillsides and/or bluffs. The so called "earthtone" color has typically meant sandstone, buff and tan colors at this location. The newly proposed color scheme includes dark green, reddish-brown and gray for the purpose of blending in with the surrounding hillsides to the north, south and east of buildings on the plant site. Proposed accent trims include reds and yellows.

Many of the existing buildings at the treatment plant predate the Coastal Act and as such, are painted in white colors (in particular, the digesters). These structures are very large and quite visible from offshore as well as from the south from the Cabrillo National Monument, which is a major visitor destination area. Given that many of the structures are located against the hillsides to the east of the plant, the proposed color scheme of green, reddish-brown and gray can be found compatible with the natural setting of the area. Also, painting existing development and structures which are presently visually obtrusive such as the digesters, will be a significant improvement over the existing white and light-colored structures, etc. The Commission concurs that the proposed color scheme will result in the plant being more subordinate to its setting which includes both the sandstone bluffs as well as the hillsides. Also the Commission finds that the proposed color scheme will greatly improve the visual quality of the treatment plant. In addition, the City's proposal to use brighter shades as accents is also consistent with past Commission requirements associated with the color treatment condition which provided that such colors be limited to trims, etc. It should also be mentioned that the City has confirmed that some types of building elements, such as retaining walls, will still utilize "earthtone" (brown and tan) colors since such structures are usually set into a hillside and/or bluff that is sandstone in color.

Although the PLWTP is in a scenic area--the majority of the shoreline is highly inaccessible to the public due to its rocky terrain and absence of sandy beaches, etc. The PLWTP is most visible from off-shore to the west by recreational boaters and the like, as well as to the south from portions of the Cabrillo National Monument. In approving the proposed color scheme for the PLWTP, it should be noted that the colors suggested can be found compatible with the surrounding terrain. However, acceptance of these colors is unique to the project at hand. Review of subsequent color treatment for projects in other coastal

scenic areas which are visible from public vantage points would need to be reviewed on a case-by-case basis, as is presently done. The City has put a great deal of effort into this plan to improve the visual quality of the plant including not only color schemes, but landscape improvements as well as improvements in lighting. For example, the City proposes to change the lighting at the plant site such that it is directed down towards the ground and only focused in certain areas in an effort to minimize glare as well as to improve the quality of lighting for plant operations needs. Special Condition No. 1 has been attached which requires, in part, submittal of a final color palette consistent with the sample submitted in association with CDP #6-96-137 which is in concept with the landscape and design report. In summary, the Commission finds that the proposed colors for the treatment plant, as shown on the submitted color palette, can be found consistent with the visual resource policies of the Coastal Act.

b. Visual Compatibility of Proposed Development. With regard to other visual quality issues associated with the subject proposal, as noted in the Point Loma Wastewater Treatment Plant Master Plan, the specific project site is located at the northwest tip of the PLWTP site. As such, the NOP will be most noticeable in public views from the west. However, from more distant views from the west, the prominence of the structure will be somewhat offset by the presence of other multi-story structures at the plant site including the existing digester tanks and GUF building. The majority of the NOP, however, will not be visible from the Cabrillo National Monument due to intervening topography; however, portions of the second story will be visible from the Whale Overlook--but not the Ocean View Scenic Overlook or other areas at the Cabrillo National Monument. It is likely the structure would still be visible from the overlook even if it were limited to two stories. However, the proposed structure has incorporated a design which includes a partial subterranean level that helps to limit the building height and mitigate its visibility.

In addition, the City is proposing to install landscaping which will help to mitigate any adverse visual impacts associated with the proposed structure. Plant elements include Torrey Pines trees, Monterey Cypress trees, shrubs and groundcover along the southern, eastern and northern frontages of the proposed structure. Although a landscape plan and detailed irrigation plan has been submitted with the application which indicates the types and sizes of proposed plant materials, the plans do not contain final information as to the quantity of proposed plant elements. In addition, the proposed irrigation plan includes approx. two elements which would be located within 40 feet of the bluff edge, which could exacerbate coastal blufftop erosion. For this reason, a condition has been attached requiring submittal of final landscape plans which document that no irrigation system shall be located within 40 feet of the bluff edge.

With regard to potential visual impacts associated with construction activities, construction activities will not be visible from the south due to intervening topography. Although construction activities may be visible offshore from the west, they should not pose any significant adverse visual impacts since construction activities will be temporary. No adverse visual impacts are anticipated to result from project approval. The Commission,

therefore, finds the project, as conditioned, consistent with Section 30251 of the Coastal Act.

4. Shoreline Access. Coastal Act Section 30211 provides:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

In addition, Section 30212 states, in part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby, ...

The proposed development is located in close proximity to the shoreline just inland (approximately 25 feet) of existing shoreline protective works. Currently, there is no public access to the shoreline at the project site. The shoreline presently consists of rocky headlands interspersed with the previously constructed revetments. Due to the revetments and the rocky headlands, lateral access opportunities have been relatively non-existent at the subject site since the time of plant construction. Also, due to the nature of the sewage treatment facility, public use of the area is restricted for safety reasons. With construction of the proposed project and related improvements, shoreline access opportunities in this area will not be diminished beyond those that currently exist.

Additionally, to the north of the project site are Navy owned lands which prohibit public access along the shoreline. To the south is the Cabrillo National Monument which encourages public access to the tip and westerly side of Point Loma. Parking lots and shoreline viewing areas are available at the Monument and along the access road south of the treatment plant facility, but only limited access to the shoreline is allowed because of the sensitive marine resources found at the base of the bluffs. The Monument offers guided tours of the tide pools, which does allow the public the opportunity to view inter- and sub-tidal marine life.

For this project site only, it is inappropriate to require public access along the shoreline due to the presence of revetments (CCC# 6-89-217 and 6-96-45) which encompass the entire beach zone (rocky, cobble beach) into the inter-tidal zone, sensitive marine resources (i.e., surfgrass) located within the inter- and sub-tidal areas, and public safety concerns due to the nature of the existing sewer treatment operations. Furthermore, adequate public access and recreational opportunities are available at the adjacent Cabrillo National Monument. Therefore, the Coastal Commission finds the proposed project, as conditioned, consistent with the cited sections of the Coastal Act, and with all other public access and recreation

policies of the Coastal Act, as required in Section 30604(c) of the Act for any site that is located between the first coastal road and the sea.

4. Local Coastal Planning. Section 30604 (a) also 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. As conditioned, such a finding can be made for the subject development.

The subject site is located within an unzoned geographic area included in the Peninsula Community Plan segment of the City of San Diego Local Coastal Program and has contained the Point Loma Wastewater/Sewage Treatment Plant since 1963. This area was not included in the City of San Diego's certified Local Coastal Program, and the Commission retains permit jurisdiction over the site at this time. Pursuant to the above findings, the proposed development will be consistent with all applicable policies of Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed project will not result in adverse impacts to coastal resources nor prejudice the ability of the City of San Diego to continue implementation of its fully certified LCP.

5. 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, 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 conditioned in order to be found consistent with the geologic stability and visual resource policies of the Coastal Act. Mitigation measures, including submittal of final plans that require the proposed NOP be constructed in accordance with the recommendations of the geology reports, as well as submittal of a final color palette representative of the proposed color scheme for the plant facilities and a final landscape plan, 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 can be found 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. 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.

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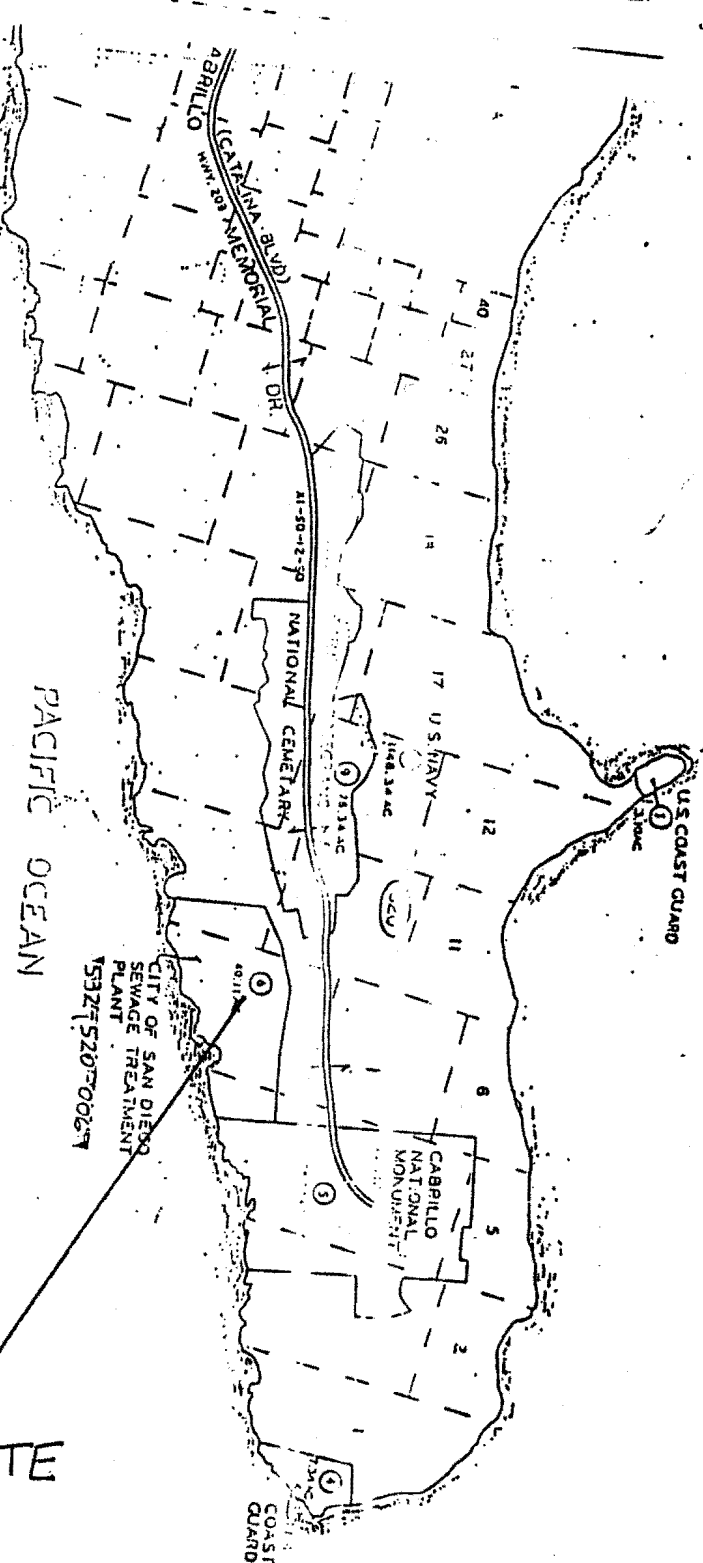
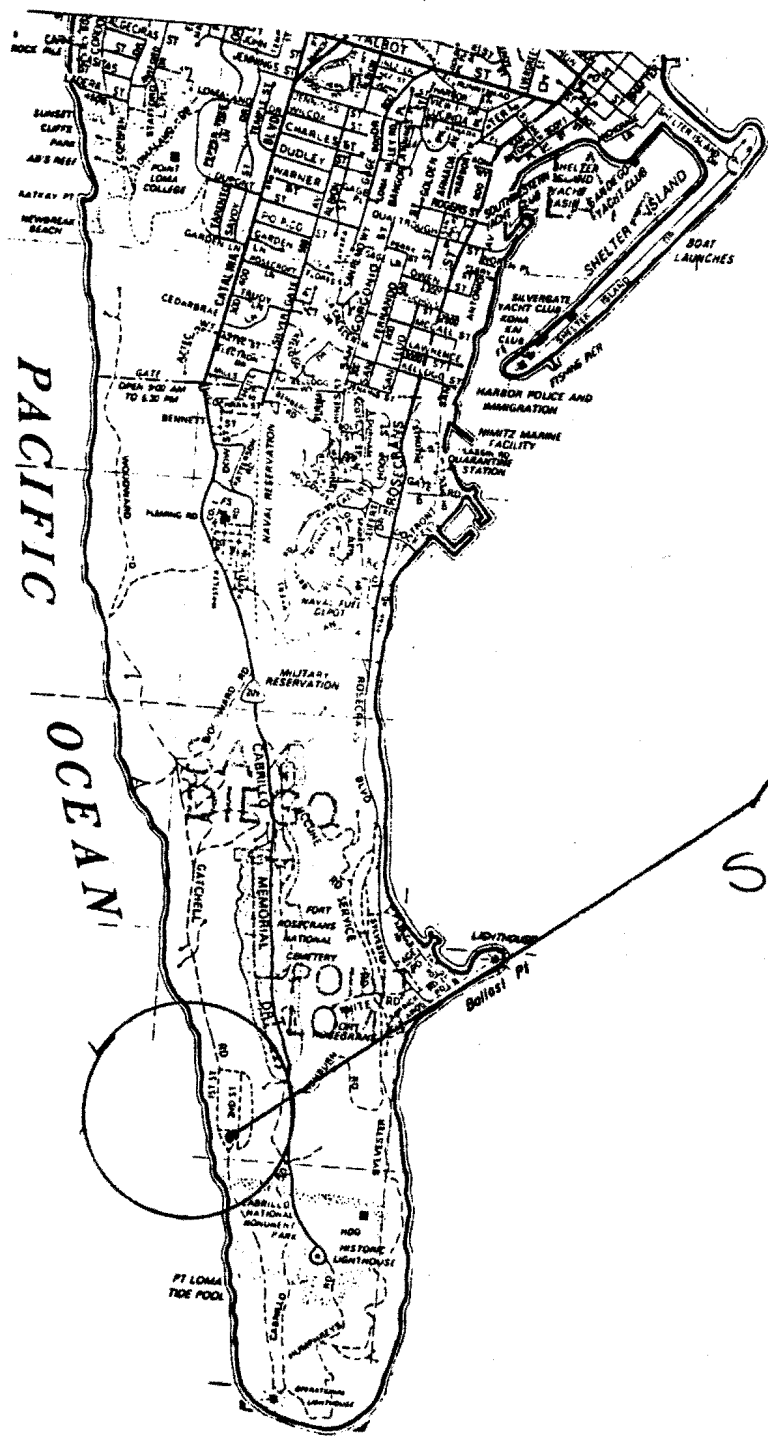


EXHIBIT NO. 1
APPLICATION NO.
6-97-60
Location Maps
California Coastal Commission

NO SCALE

NORTH
PARKING AREA

NORTH
OPERATION BUILDING

ODOR REMOVAL SYSTEM
NO.6 TO BE REMOVED

Paint Shed

A STREET

NEW 'A' STREET

ODOR REMOVAL
SYSTEM NO.1 A

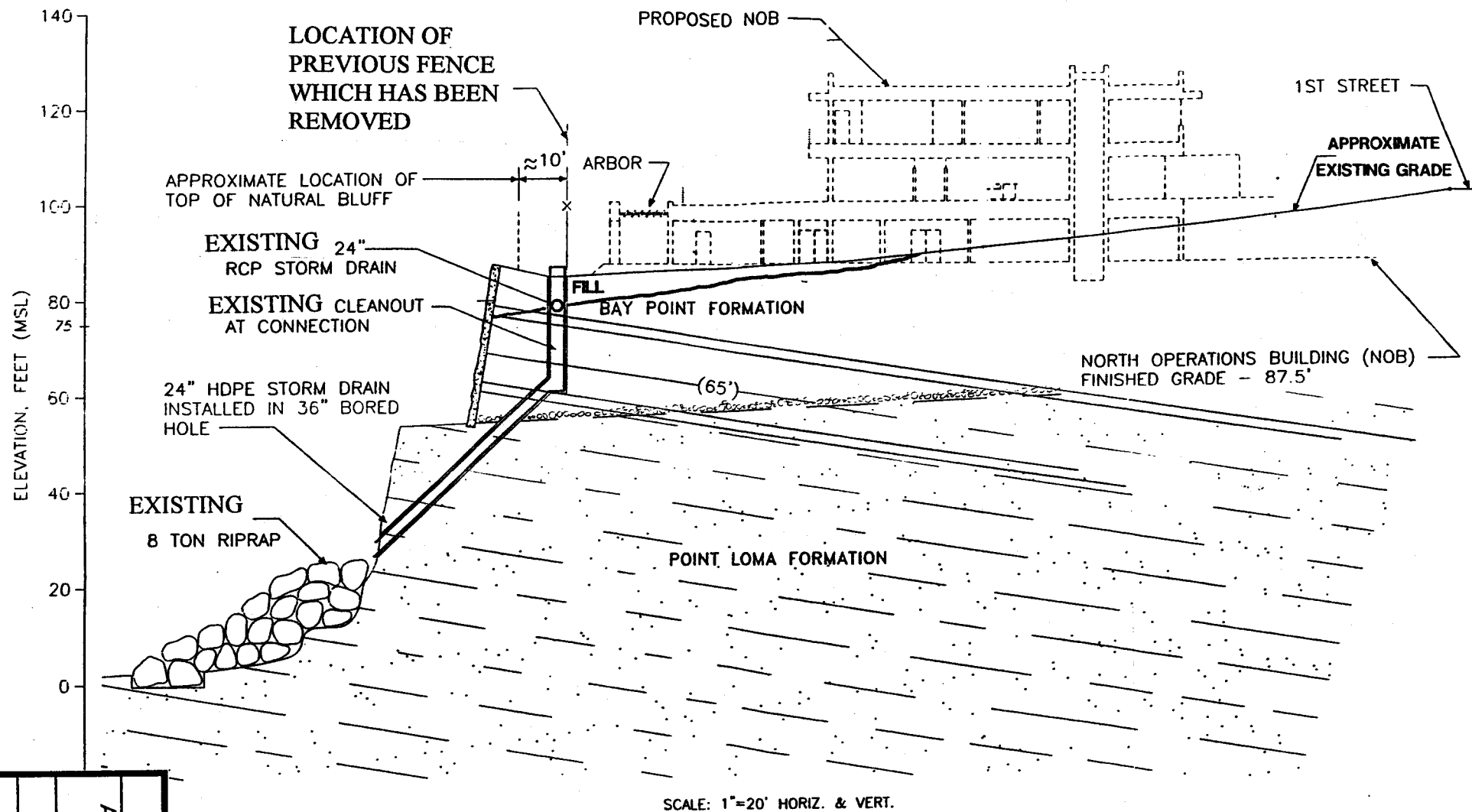
EXHIBIT NO. 2

APPLICATION NO.

6-97-60

Site Plan

California Coastal Commission



California Coastal Commission

Cross-Sections

APPLICATION NO.
6-97-60

EXHIBIT NO. 3

RELINE IMPROVEMENT
OBJECT (NSIP)

CIATES

NSIP/NOB/DIGESTER 9 SITE PROFILE

PROJECT NO.
1601BG

FIGURE
1