

## CALIFORNIA COASTAL COMMISSION

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

Filed: 5/29/97  
49th Day: 7/17/97  
180th Day: 11/25/98  
Staff: WNP-SD  
Staff Report: 6/17/97  
Hearing Date: 7/8-11/97

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-97-66

Applicant: Robert Mueller Construction, Inc.

Description: Construction of five single family houses one each on five existing lots. The residences are as follows: Lot 1 = 3,614 sq. ft. and one story; Lot 2 = 3,614 sq. ft. and one story; Lot 3 = 3,825 sq. ft. and two-stories; Lot 4 = 3,620 sq. ft. and two-stories; and Lot 5 = 3,825 sq. ft. and two-stories. Approximately 2,012 cubic yards of cut grading is proposed for Lots 4 and 5 (Lot 4 = 1,594 cu.yds.; Lot 5 = 418 cu.yds.) and 1,306 cu.yds. of fill grading is proposed for Lot 5.

Lot Area	96,670 sq. ft.
Building Coverage	4,356 sq. ft. ( 5%)
Pavement Coverage	12,632 sq. ft. (13%)
Unimproved Area	79,682 sq. ft. (82%)
Parking Spaces	3
Zoning	R-3/R-4
Plan Designation	Low Residential (3 du/ac)
Project Density	2.25 du/ac

Site: 214 South Nardo Avenue, Solana Beach, San Diego County.  
APN 298-081-36, 37, 38

Substantive File Documents: City of Solana Beach General Plan; certified County of San Diego Local Coastal Program (LCP); City of Solana Beach Resolution No. 89-96; CDP #6-86-548; CDP #6-91-38.

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 on the grounds that, as conditioned, 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.

1. Landscaping Plan. Prior to the issuance of the coastal development permit, the applicant shall submit a detailed landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible. Special emphasis shall be placed on the placement of at least 2 specimen size trees (24-inch box minimum) on the lots containing the two-story residences to effectively screen them from views from Interstate 5. Said plan shall be submitted to, reviewed and approved in writing by the Executive Director.

2. Final Building Plans. Prior to the issuance of the coastal development permit, the applicant shall submit final building plans for the proposed single family residences, in substantial conformance with the preliminary plans and approved by the City of Solana Beach. Any significant changes to the preliminary building plans shall be reported to the Executive Director and may require an amendment to the permit unless the Executive Director determines that no such amendment is required.

## IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. Proposed is the construction of five single family houses. The residences are as follows: Lot 1 = 3,614 sq. ft. and one story; Lot 2 = 3,614 sq. ft. and one story; Lot 3 = 3,825 sq. ft. and two-stories; Lot 4 = 3,620 sq.ft. and two-stories; and Lot 5 = 3,825 sq. ft. and two-stories. Approximately 2,012 cubic yards cut grading is proposed for Lots 4 and 5 (Lot 4 = 1,594 cu.yds.; Lot 5 = 418 cu.yds.) and 1,306 cu.yds. of fill grading is proposed for Lot 5. Approximately 706 cu.yds. will be exported off-site to a disposal site in Rancho Santa Fe which is outside the coastal zone.

The subdivision of the property was approved in CDP #6-97-28. It was for the subdivision of an existing 2.22 acre site (consisting of three lots) into five parcels. Lots 1, 2 and 3 are 16,840 sq. ft., Lot 4 19,400 sq. ft. and Lot 5 26,750 sq. ft. Two existing single-family dwellings on proposed parcels one and three were approved to be demolished. The subject site is located on the east side of South Nardo Avenue, approximately 1/4 mile south of Lomas Santa Fe Drive in the City of Solana Beach. In addition, construction of an approximately 400 foot long private road taking access from South Nardo Avenue and ending in a cul-de-sac along the northern portion of the site, and the installation of a sewer line to serve the proposed parcels was approved.

The project was approved with two special conditions. One requiring that future development on the site will require additional review and approval and

one requiring the applicant to identify a disposal site for the approximately 1,400 cubic yards of graded material to be exported off-site.

The majority of the site is level, with the portion of the site consisting of proposed parcels four and five sloping downward in an easterly direction. The site does not contain any steep slopes in excess of 25 percent that are naturally vegetated.

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

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 project site is located in a previously developed area in the City of Solana Beach on the east side of Nardo Avenue, south of Lomas Santa Fe Drive. The proposed residential construction will result in five houses that are comparable in size to other residences in the area. However, the hillside lots are partially visible from I-5 which is designated as a Scenic Corridor. For that reason, the Commission finds a landscaping plan is required to assure that new development will be screened as feasible from public views originating from I-5. Special emphasis shall be placed on the placement of at least 2 specimen size trees (24-inch box minimum) on Lots 3-5 to effectively screen the proposed two-story residences from views from Interstate 5. Additionally, drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible on graded slopes. As conditioned, the Commission finds that no impacts to coastal resources will result from the proposed development and that the proposed project can be found consistent with Section 30251 of the Act.

3. 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. In this case, such a finding can be made.

The site is designated Low Residential with a maximum allowable density of 3 dwelling units per acre in the City of Solana Beach General Plan and Zoning Ordinance. The site is under two designations in the certified County of San Diego LCP, which the Commission uses for guidance for development in Solana Beach, with one portion of the site designated Residential 4 and one portion designated Residential 5. The maximum density resulting from the subject proposal will be 2.25 du/a, consistent with the certified County LCP and the City's designation. The site is not subject to any of the special overlays identified in the County LCP and is consistent with all applicable Chapter 3 policies of the Coastal Act. As conditioned to provide a landscaping plan to screen the project from public views from I-5, no adverse impacts to any

coastal resources are anticipated as a result of this development. 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.

4. 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.

As conditioned to provide a landscaping plan, the proposed project has been found consistent with the visual resource policies of the Coastal Act. 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 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.





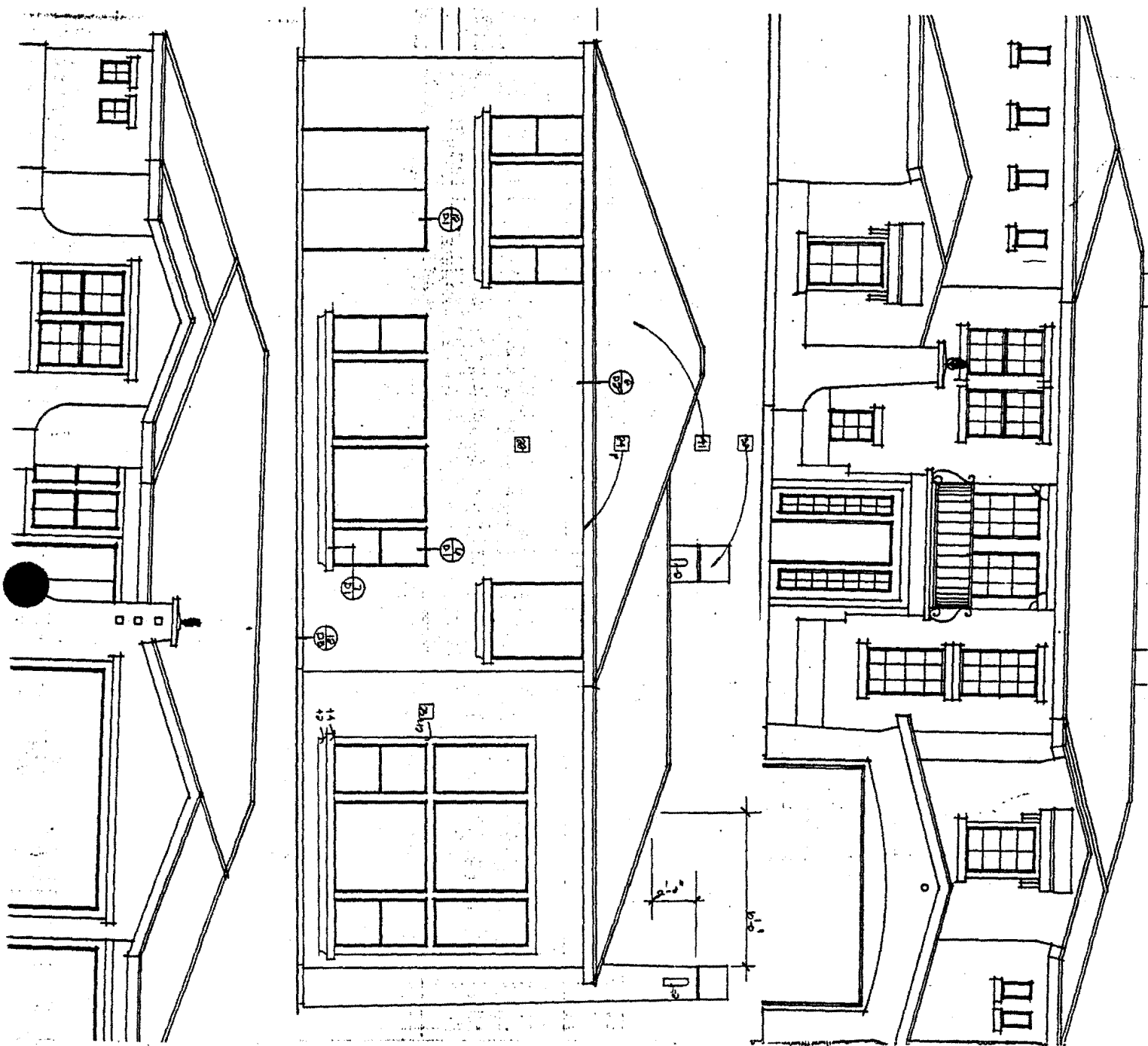


EXHIBIT NO. 3

APPLICATION NO.

0-97-66

Representative  
Elevations