

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: 5/28/97
49th Day: 7/16/97
180th Day: 11/24/97
Staff: LRO-SD
Staff Report: 7/10/97
Hearing Date: 8/12-15/97

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-97-69

Applicant: David Hodges

Description: Demolition of two existing duplex units and two detached two-car garages, subdivision of a .93 acre parcel into two parcels and construction of an eight-unit townhome residential complex (including one low-income unit) housed in two separate structures totaling 13,400 sq. ft. including 22 on-site parking spaces and landscaping on a 20,000 acre site. Existing commercial buildings, a residential unit and storage buildings located on the western portion of the site are proposed to remain.

Lot Area	20,000 sq. ft.
Building Coverage	8,540 sq. ft. (43 %)
Pavement Coverage	4,260 sq. ft. (21 %)
Landscape Coverage	5,950 sq. ft. (30 %)
Unimproved Area	1,250 sq. ft. (6 %)
Parking Spaces	22
Zoning	Medium High Residential (8-12 dua)
Plan Designation	Medium High Residential
Project Density	16 dua (with density bonus)
Ht abv fin grade	25 feet

Site: 247-249 and 301-303 N. Rios Avenue, Solana Beach, San Diego County.
APN 263-341-06

Substantive File Documents: Certified County of San Diego Local Coastal Program; City of Solana Beach General Plan and zoning code; City Resolution of Approval (#92-85) - approved 10/19/92.

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. Landscape Plans. 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. Said plan shall be submitted to, reviewed and approved in writing by the Executive Director.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. Proposed is the demolition of two duplex units and two detached two-car garages. Also proposed is the subdivision of the .93 acre parcel into two parcels and a tentative map for the construction of an eight-unit condominium complex with common area in two separate structures totaling 13,400 sq. ft. The proposed townhome complex will include six three-bedroom units and two one-bedroom units. Adequate parking will be provided consisting of 22 on-site parking spaces. Access will be received from North Rios Drive, via the creation of an access driveway to the project site. Presently, the site consists of one legal parcel which is .93 acres in size and extends between Cedros Avenue to the west to North Rios Avenue to the east, two blocks east of Highway 101, in the community of Solana Beach. The western half of the parcel is zoned for commercial use and contains several commercial structures, storage sheds and a residential unit. These

structures are proposed to remain. The proposed tentative map will result in the creation of a separate legal parcel which will be 20,000 sq.ft. in size on which the proposed townhomes will be located. One of the eight proposed living units will be reserved as a very low income rental unit.

2. Community Character/Visual Resources. Section 30251 of the Act requires in part, that new development be designed to protect views to and along the ocean and that it be visually compatible with the character of the surrounding area. As noted previously, the subject site is located on the west side of North Rios Avenue two blocks east of Highway 101 and the existing railroad right-of-way in an established residential neighborhood surrounded by other residential development. The proposed townhome structures are compatible in size and scale with the surrounding development. Although the project application indicates that approximately 30% of the site will be landscaped, a detailed landscape plan was not submitted. As such, Special Condition No. 1 has been attached which requires submittal of a detailed landscape plan to assure that the site will be adequately landscaped in order to maintain the visual quality of the surrounding area.

In addition, the project is not visible from any scenic vistas or viewpoints identified in the certified County of San Diego LCP. The site is also not visible from Highway 101 to the west, due to the presence of existing structures on the western half of the subject parcel, as well as existing vegetation along the Highway 101 and Cedros Avenue frontages. Therefore, the Commission finds that the proposed development, as conditioned, does not pose any significant visual impacts, consistent with Section 30251 and all other applicable Chapter 3 policies of the Coastal 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, as conditioned, such a finding can be made.

The site is currently zoned and designated for medium-high residential uses in the previously certified County of San Diego LCP and in the City of Solana Beach General Plan and Zoning Ordinance. As noted previously, the proposed development includes the provision of one very low income rental unit. As such, the development was granted a density bonus resulting in a project density of 16 dwelling units per acre which the City found consistent with the highest density in the Medium High Residential land use designation which permits 8-12 dwelling units per acre, plus a 55% density bonus as allowed by State Law. As conditioned, the project will be consistent with all applicable Chapter 3 policies of the Coastal Act. No adverse impacts to any coastal resources are anticipated as a result of the proposed development. Therefore, as conditioned, 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, 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.

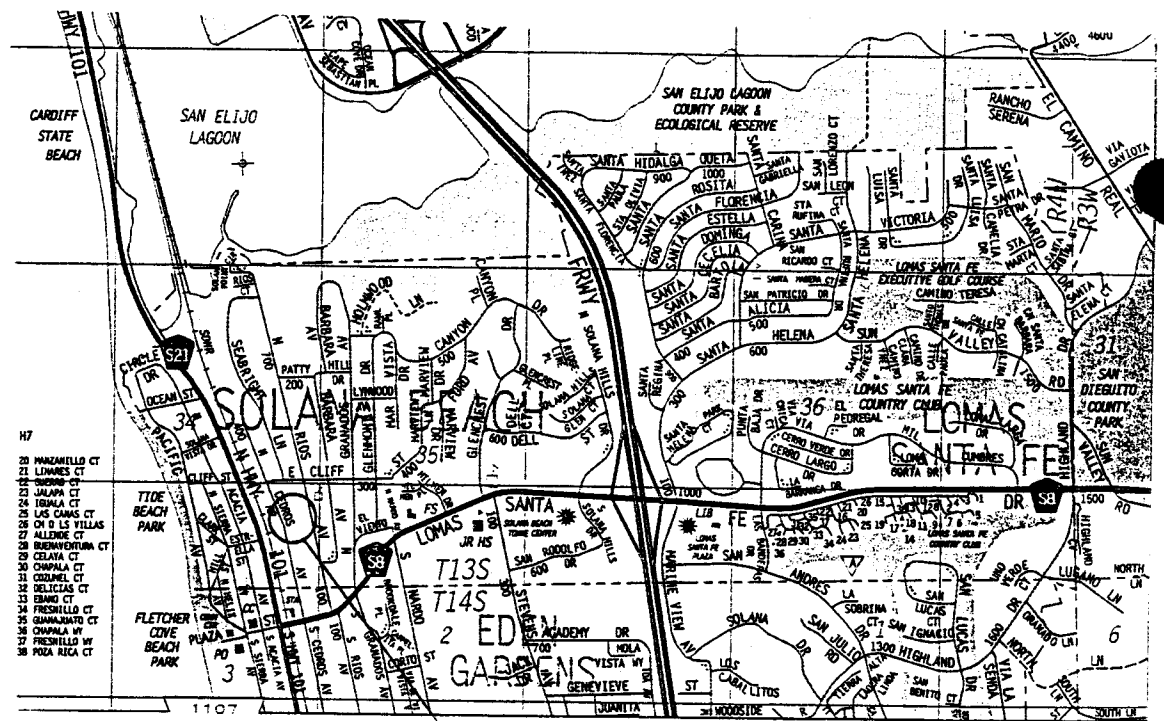
The proposed project has been conditioned in order to be found consistent with the new development policies of the Coastal Act. A mitigation measure includes a special condition addressing landscaping on the site and will minimize all adverse environmental impacts. As conditioned, there are no feasible 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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SITE

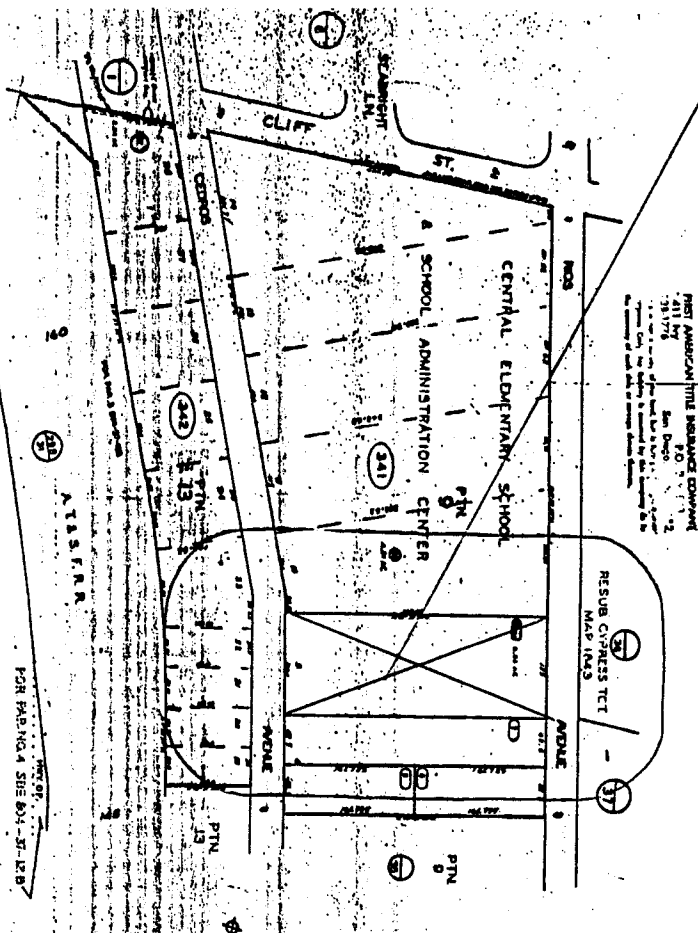
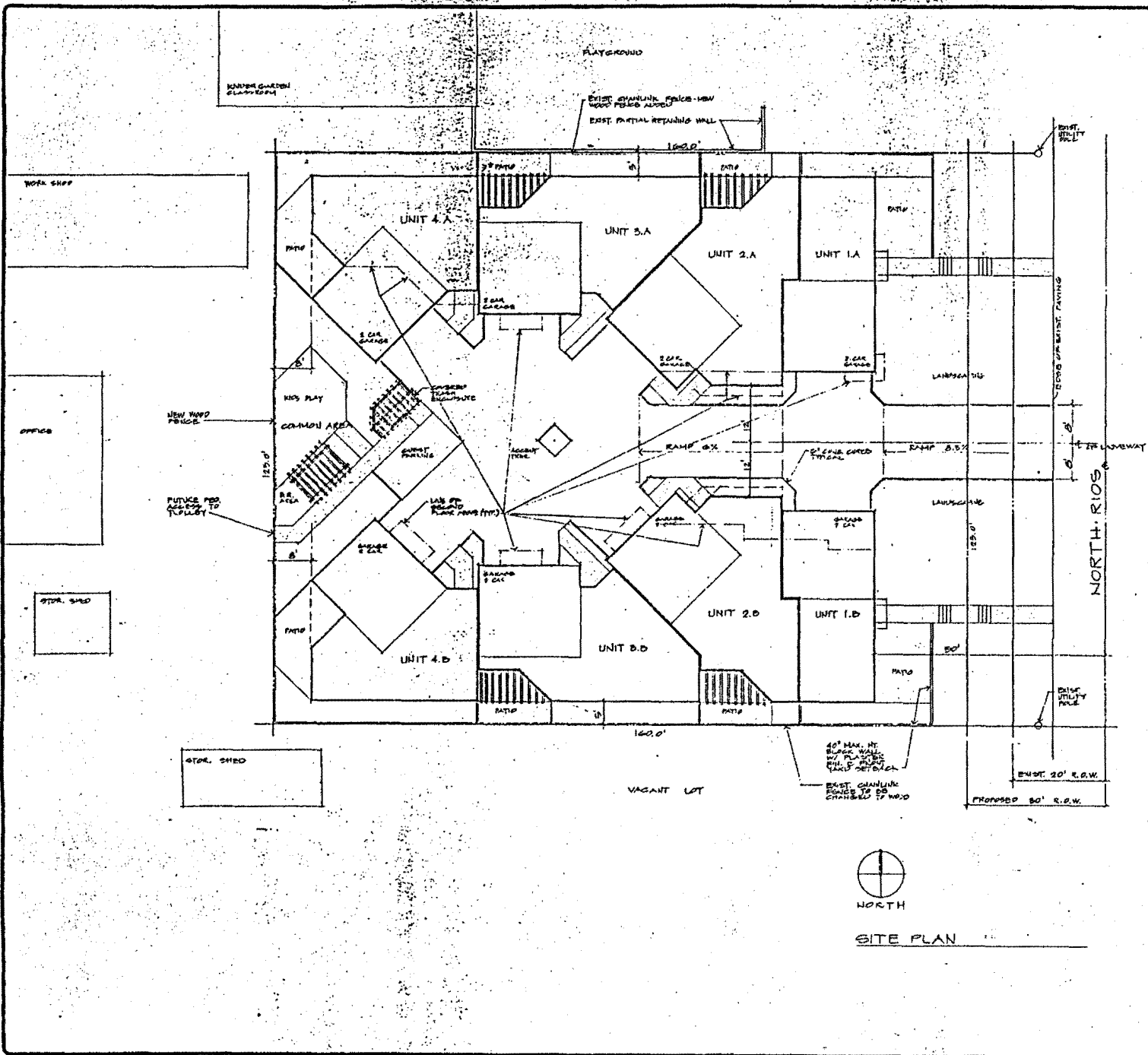


EXHIBIT NO. 1
APPLICATION NO.
6-97-69
Location Maps



TABULATIONS
 SITE AREA-GROSS:
 SITE AREA-NET:
 BUILDING AREA

UNIT 1	1.0N
UNIT 2	2.0N
UNIT 3	1.0N
UNIT 4	1.0N
TOTAL:	5.0N

GARAGE AREA	
8 EACH @ 420 SF:	3,360 SF
2 EACH @ 400 SF:	800 SF
TOTAL:	4,160 SF
BUILDING COVERAGE (INCL. GARAGE):	8,540 SF (4.5%)
PAVED AREA:	4,760 SF (22.8%)
LANDSCAPED AREA:	5,850 SF (21.1%)
PROPOSED GRADING VOLUME:	180 CY
ASSESSORS NO.:	263-341-05
PROJECT OWNER/APPLICANT:	RALPH PETERS P.O. BOX 8072 RANCHO SANTA FE, CA 92087 (519) 756-5430

SPECIAL INCOME LEVEL UNIT

CONDITIONALLY
APPROVED
 FOR PROCESSING
 CITY OF SOLANA BEACH
 PROJ. RESOLUTION NO. 92-85
 SIGNATURE: *[Signature]* DATE: 11/1/92

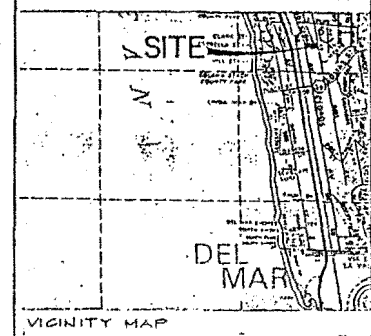


EXHIBIT NO. 2
APPLICATION NO. 6-97-69
Site Plan

California Coastal Commission

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WARREN W. SCOTT - ARCHITECTURE
 1000 N. MISSION AVE., SUITE 100
 SAN ANTONIO, TEXAS 78207
 (512) 341-1111

RIO DE SOLANA
 RECREATION DEVELOPMENT
 NORTH RIOS, SOLANA BEACH
 FOR: RALPH PETERS
 P.O. BOX 8072
 RANCHO SANTA FE, CA 92087
 (519) 756-5430

DATE	11/1/92
BY	G. C. 12
SCALE	1" = 10' (ONLY)
JOB NO.	71045
SHEET	
A.1	