

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7001 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

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Staff: DL-SD
Staff Report: June 17, 1998
Hearing Date: July 7-10, 1998

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-47

Applicant: Solana Beach Town Centre Investments Agent: Ron Mourey

Description: Demolition of three existing commercial buildings totaling 45,423 sq.ft. and construction of five new structures totaling 40,000 sq.ft. in an existing 22.83 acre retail commercial shopping center currently containing 253,812 sq.ft. of building area; realignment of San Rodolfo Drive and Solana Hills Drive; and street improvements to Lomas Santa Fe Drive. Approximately 4,500 cubic yards of balanced grading is proposed.

Lot Area	22.83 acres
Building Coverage	248,389 sq. ft. (25%)
Pavement Coverage	491,680 sq. ft. (49%)
Landscape Coverage	254,405 sq. ft. (26%)
Parking Spaces	1,105
Zoning	General Commercial
Plan Designation	Commercial
Ht abv fin grade	35 feet

Site: 663-689 Lomas Santa Fe Drive, 662-685 San Rodolfo Drive, 106-168 Solana Hills Drive, Solana Beach, San Diego County. APN 263-420-27, 28, 83, 89, 90.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; Solana Beach Resolution 98-27; Negative Declaration 2/6/98.

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 PERMIT, the applicant shall submit for review and written approval of the Executive Director, final site, floor, and elevation plans, that have been stamped and approved by the City of Solana Beach, indicating that a minimum of 1,104 parking spaces are provided. Said plans shall be in substantial conformance with the submitted plans dated 4/8/98. The permittee shall undertake development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Landscaping Plan. PRIOR TO THE ISSUANCE OF THE PERMIT, the applicant shall submit a final landscape plan, stamped and approved by the City of Solana Beach, in substantial conformance with the landscape concept plan dated 3/13/98. Said plans shall indicate 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. The permittee shall undertake development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Sign Program. PRIOR TO THE ISSUANCE OF THE PERMIT, the applicant shall submit a comprehensive sign program for all proposed signage documenting that only monument signs, not to exceed eight (8) feet in height, or facade signs are proposed.

No free-standing pole or roof signs shall be allowed. Said plans shall be subject to the review and written approval of the Executive Director. The permittee shall undertake development in accordance with the approved sign program. Any proposed changes to the approved sign program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Future Development. This permit is for demolition of three existing commercial buildings totaling 45,423 sq.ft., construction of five new commercial structures totaling 40,000 sq.ft., and street improvements. All other development proposals for the site including conversion of retail floor area to restaurant use, shall require review and approval by the Coastal Commission, or its successor in interest, under a separate coastal development permit or an amendment to this permit.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. The proposed project involves renovation of an existing 22.83 acre commercial shopping center currently containing 253,812 sq.ft. of building area including demolition of three existing commercial buildings totaling 45,423 sq.ft. and construction of five new commercial structures totaling 40,000 sq.ft. The subject site is located on the south side of Lomas Santa Fe Drive, approximately 700 feet west of Interstate 5 in the City of Solana Beach.

The project also includes widening, realignment and installation of landscaped medians on Solana Hills Drive/San Rodolfo Drive, the street which runs through the shopping center, and street improvements to Lomas Santa Fe Drive including installation of left hand turn lanes at the intersection with Solana Hills Drive and landscaped medians. Approximately 4,500 cubic yards of balanced grading is proposed. The demolition will occur on the east and west sides of Solana Hills Drive, and south of San Rodolfo Drive. The new construction will be located east and west of Solana Hills Drive (see Exhibit 2).

There have been a number of past approvals for development within the shopping center site, including a permit for construction of three new retail buildings southeast of San Rodolfo Drive, which were never built (#6-86-41), construction of a 34,005 sq.ft. retail structure southeast of San Rodolfo Drive (#6-88-446), and construction of a 10,500 sq.ft. addition and three new retail buildings, also southeast of San Rodolfo Drive (#6-89-279). Several permits involved conversion of uses in the center, including permit #6-91-33 for conversion of 1,272 sq.ft. of retail space to restaurant use, the conversion of 826 sq.ft. of retail to restaurant (#6-91-49), and the conversion of 1,200 sq.ft. from retail to restaurant (#6-92-40). There have been two permit waivers granted, one for a new storage area for Dixieline Lumber (#6-89-257-W) and one for a storage/maintenance shop (#6-92-169).

In July 1996, the Commission approved a permit for construction of a 8,175 sq.ft. retail/restaurant building and a 8,500 sq.ft. addition to an existing 27,200 sq.ft. supermarket on the northwest side of San Rodolfo Drive (#6-96-75). Special Conditions on the permit include the submission of final plans, a sign program, and identification of an export site. However, the special conditions have not been met and the permit is due to expire on July 12, 1998. The subject permit involves construction of a new 17,400 structure in approximately the same location as the previously approved 8,175 sq.ft. building, thus, the previously approved permit and the subject permit could not both be exercised.

2. 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 proposed, the shopping center would contain approximately 233,418 sq.ft. of retail floor area, and 14,971 sq.ft. of restaurant area. To determine the quantity of parking spaces that would be adequate to protect public access to the coast, the Commission may consider for guidance purposes, the amount of parking required under the previously certified County of San Diego Local Coastal Program (LCP). The County LCP requires that parking for a retail/commercial center of this size be provided at a ratio of one space for every 225 sq.ft. of gross floor area, when restaurant uses are less than 10% of the gross floor area. The City of Solana Beach also requires parking to be provided at a ratio of one space for every 225 sq.ft. of floor area, although the City's zoning ordinance does not specify a maximum amount of restaurant allowed. Thus, for the proposed project, a total of 1,104 parking spaces would be required. The applicant is proposing to provide 1,105 spaces, consistent with these requirements. Special Condition #1 requires the applicant to submit final project plans indicating that a minimum of 1,104 parking spaces will be provided.

As noted above, the project site is located on the south side of Lomas Santa Fe Drive, a major coastal access route. In past approvals on the project site, the Commission has indicated that higher parking ratios (requiring more parking) may be required if restaurant use on the site increases beyond 10% of the total floor area. Staff at the City have also indicated that additional parking could be required if restaurant use at the site increases substantially (E. Darnell, pers. comm., 6/98). However, the project site is located nearly one mile east of the coastline and the nearest beach access point at Fletcher Cove. Because of the distance from the beach and the absence of nearby public recreational facilities, a parking deficiency in this area does not have the potential to impact the amount of parking available to beach users. Thus, even if the percentage of restaurant uses on the site does increase in the future, it is unlikely that public beach access would

be adversely affected. However, because a change from retail to restaurant is a change in intensity of use which requires a coastal development permit, Special Condition #4 notifies the applicant that a permit is required for such a conversion of use. Therefore, as conditioned, the proposed project can be found consistent with Section 30252 of the Coastal Act.

3. Visual Impact/Community Character. Section 30251 of the Coastal 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, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The shopping center site is located below the street level of Lomas Santa Fe Drive and Interstate 5 to the east, and none of the new construction will block any public views to the ocean across the site. The new structures will be located within the developed shopping center and will be compatible in design and architectural features to the existing buildings. The applicant has submitted a landscape concept plan indicating that new trees will be planted in the parking lots and along median strips, along with replacing and relocating a number of existing trees. New shrubs and ground cover are also proposed. Therefore, the proposed development will not have an adverse impact on the visual quality of the surrounding area. Because the landscape plan has not been finalized at this time, Special Condition #2 requires the applicant to submit final landscape plans in substantial conformance with the submitted concept plan.

In past Commission action on commercial development within this area, the Commission has regulated the height and amount of signage because of the potential for adverse impacts on the scenic quality of the area. Strict limits on the size and height of commercial signs were included within the previously certified County of San Diego Local Coastal Program. There are no existing pole signs currently located at the shopping center. No sign program was submitted with the application. To assure that all proposed signage is consistent with Chapter 3 policies, Special Condition #3 has been proposed. The condition requires the submittal of a sign program documenting that only monument signs not exceeding eight feet in height or facade signs will be installed. Therefore, as conditioned, the project will not have any adverse visual impacts to scenic coastal resources and the project can be found consistent with Section 30251 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 as General Commercial in the previously certified County of San Diego LCP. The City of Solana Beach has zoned and designated this area for Commercial uses, and the proposed commercial demolition and construction are consistent with this designation. As discussed above, the parking can be found consistent with the Chapter 3 policies regarding the provision of adequate parking facilities. 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 the development will not prejudice the ability of the City of Solana Beach to prepare a certifiable Local Coastal Program.

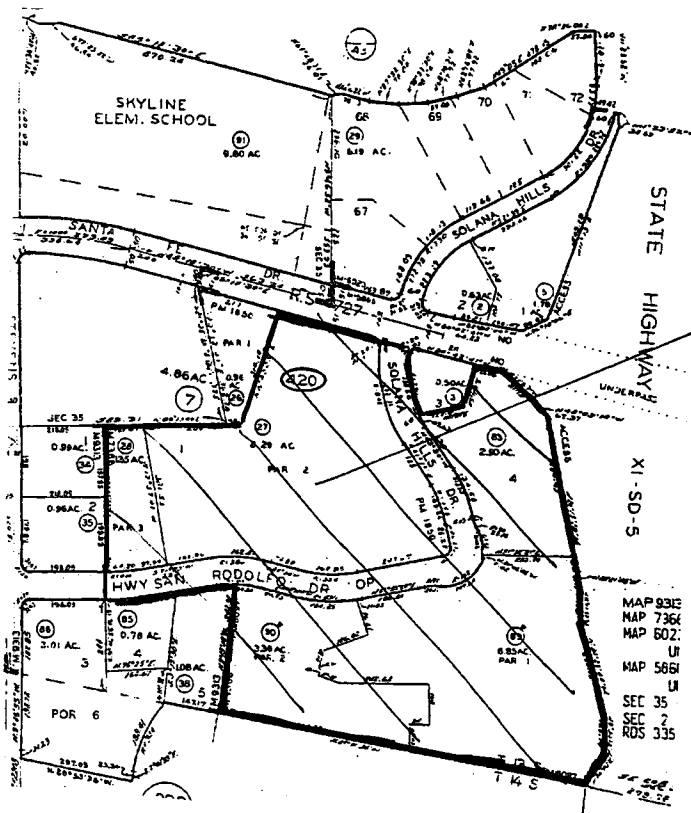
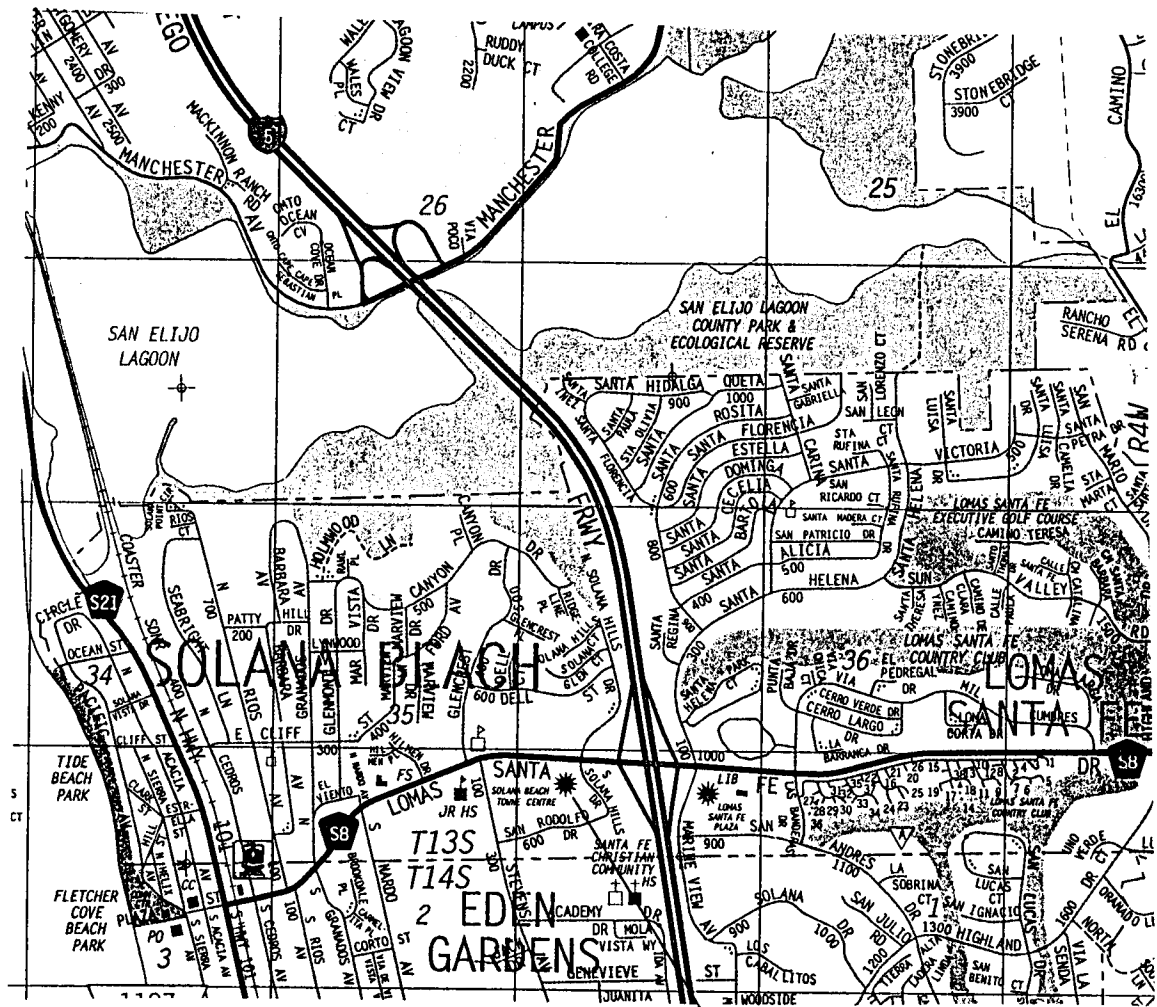
5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 public access and visual quality policies of the Coastal Act. Mitigation measures, including submittal of a landscape plan and sign program 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 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.



SITE

EXHIBIT NO. 1
APPLICATION NO.
6-98-47
Location Map

4/20/70
3/15/70
3/15/70
10/28/67



ARCHITECTURE AND PLANNING

SUBJECT

RETAIL RENOVATION

CENTRE

TOWNE C

EACH

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California Coastal Commission