

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

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W4c



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Staff: DL-SD
Staff Report: June 9, 1998
Hearing Date: July 7-10, 1998

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-58

Applicant: Albert Gross
Jeffery Segal

Agent: James Chinn

Description: Demolition of an existing 630 sq.ft. garage and construction of a 1,342 sq.ft. two-story office building on a 5,797 sq.ft. lot with an existing two-story 1,133 sq.ft. office building.

Lot Area	5,797 sq. ft.
Building Coverage	2,475 sq. ft. (43%)
Pavement Coverage	2,370 sq. ft. (41%)
Landscape Coverage	952 sq. ft. (16%)
Parking Spaces	11
Zoning	Office Professional
Plan Designation	Office Professional
Ht abv fin grade	27 feet

Site: 503 North Highway 101, Solana Beach, San Diego County.
APN 263-043-08

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; Solana Beach Development Review Permit #17-98-02.

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 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 11 parking spaces are provided. Said plans shall be in substantial conformance with the submitted plans dated November 14, 1997. 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 coastal development permit, the applicant shall submit a final landscape plan, stamped and approved by the City of Solana Beach, indicating the provision of a 10-foot wide landscaping strip along the Highway 101 frontage, east of the permitted 1,342 sq.ft. building, and street trees as required by the City of Solana Beach. 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 coastal development 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.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the demolition of an existing 630 sq.ft. garage and construction of a 1,342 sq.ft. two-story office building. The 5,797 sq.ft. lot is located on the northwest corner of Highway 101 and Solana Vista Drive, in the City of Solana Beach. There is an existing two-story 1,133 sq.ft. office building on the southeast corner of the site which will remain. The existing garage, which will be demolished, remains from the time the site was developed with residential uses.

The new office building will be located in the 11-space parking area currently located on the northern portion of the lot. The parking area will be relocated to the west side of the lot, including the area where the garage is currently located. Access to the parking lot will be from the alley west of the site. No new curb cuts on Highway 101 are proposed. A 10-foot wide strip of landscaping is proposed along the Highway 101 frontage, except for the southern half of the street frontage, which is developed with the existing 1,133 sq.ft. office building.

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.

The proposed project is located along Highway 101, which is designated as a major coastal access route in the previously certified County of San Diego Local Coastal Program, which is used for guidance in the City of Solana Beach. In addition, the project is located within walking distance of the Tide Beach Park beach access stairway. There are 11 parking spaces proposed for the project.

Under the previously certified County of San Diego local coastal program, 12 parking spaces would be required for customer parking for the proposed office building. Under the City of Solana Beach's requirements, 11 spaces are required. Although the City's 1 parking space per 225 feet of office floor area requirement is slightly less stringent than the previously certified County requirements, the City's parking ratio is consistent with that approved for commercial development in certified Local Coastal Programs

throughout San Diego County, and the project is not expected to result in adverse impacts to beach access.

Because the City of Solana Beach has not given final approval to the proposed parking layout, Special Condition #1 requires the applicant to submit final plans indicating that a minimum of 11 parking spaces are provided. Therefore, as conditioned, the proposed project will not adversely impact beach access.

3. Visual Impact/Community Character. Section 30251 of the Coastal Act states in part that the scenic and visual qualities of coastal areas shall be considered and protected, that development shall be sited and designed to protect views along scenic coastal areas, and that development shall be visually compatible with the character of surrounding areas.

The proposed project will be located on Highway 101, a major coastal access route which was designated as a scenic corridor in the previously certified County of San Diego Local Coastal Program, and is designated as a scenic roadway in the City of Solana Beach. In the past, on similar projects located on Highway 101 in the City of Solana Beach and Encinitas, the Commission has typically required a minimum ten-foot wide landscaped area along the Highway 101 frontage, not to include the Highway 101 right-of-way.

The applicant is proposing to provide a ten-foot wide landscape area along the Highway 101 frontage in the portion of the lot proposed to be redeveloped. The existing office building on the southeast corner of the site, which is proposed to remain, is set back only one foot from the existing sidewalk on Highway 101; thus, a landscape strip could not be provided in this area without removing the building. In addition to the proposed ten-foot wide landscaped area, the City of Solana Beach is requiring that intermittently spaced trees be planted along Highway 101 and Solana Vista Drive as specified in the Highway 101 corridor plan, and four new trees to be planted adjacent to the west wall of the building. Therefore, as proposed, the project will not have an adverse impact on the visual quality of the area.

Because the preliminary landscape plan submitted does not show all of the final requirements of the City of Solana Beach, Special Condition #2 requires the applicant to submit a final landscape plan indicating the provision of the proposed ten-foot wide landscaping strip, and trees along Highway 101 and Solana Vista Drive as required by the City of Solana Beach.

In addition, 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. 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 project site was designated for general commercial uses in the previously certified County of San Diego Local Coastal Program, and is zoned and designated for office-professional uses in the City of Solana Beach. The proposed project is consistent with these designations. As conditioned, the project will not have any impacts on coastal resources and 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 parking, landscaping and sign programs 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.

EXHIBIT NO. 2
APPLICATION NO.
6-98-58
Site Plan
California Coastal Commission

CONST.
LOT SIZE
ATTACHED
BLDG. PER
GRADING
P.R.

Solana Vista Drive

