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San Diego Coast District

CONSENT CALENDAR

Wednesday, August 12, 1998

Table of Contents

6-98-71

6-98-73

6-98-76

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: June 8, 1998
49th Day: July 27, 1998
180th Day: December 5, 1998
Staff: DL-SD
Staff Report: July 21, 1998
Hearing Date: August 11-14, 1998

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-71

Applicant: Joao Brizola

Agent: Brian Bonet

Description: Subdivision of an existing 34,848 sq.ft. lot into two 17,424 sq.ft. lots and construction of a 2,550 sq.ft. single-family residence with an attached 540 sq.ft. garage on each lot. Approximately 4,000 cubic yards of grading with 2,000 cubic yards export is also proposed.

Lot Area	34,848 sq. ft.
Building Coverage	6,180 sq. ft. (18 %)
Pavement Coverage	8,000 sq. ft. (23 %)
Landscape Coverage	20,668 sq. ft. (59 %)
Parking Spaces	10
Zoning	Low Medium Residential
Plan Designation	Low Medium Residential (4 du/ac)
Project Density	2.5 du/ac
Ht abv fin grade	16 feet

Site: 305 Lomas Santa Fe Drive, Solana Beach, San Diego County.
APN 263-403-05

Substantive File Documents: Certified County of San Diego Local Coastal Program; City of Solana Beach General Plan; City of Solana Beach Resolution 98-56.

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. Disposal of Graded Spoils. PRIOR TO THE ISSUANCE OF THE PERMIT, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the subdivision of an existing 34,848 sq.ft. lot into two 17,424 sq.ft. lots and construction of a 2,550 sq.ft. single-family residence with an attached 540 sq.ft. garage on each lot. The subject site is located on the south side of Lomas Santa Fe Avenue between Granados Avenue and Nardo Avenue, in the City of Solana Beach. The site has been previously graded and is covered with grasses, weeds and, adjacent to the surrounding residential sites, exotic landscaping.

Construction of the two homes and access driveway from Lomas Santa Fe Drive will require approximately 4,000 cubic yards of grading of which 2,000 cubic yards of material will be exported off-site. As no site has yet been identified for the deposition of this graded material, Special Condition #1 has been attached, which requires the applicant to identify a disposal site prior to issuance of the permit. If the material is to be deposited within the coastal zone, an amendment or separate coastal development permit may be required.

2. New Development. Section 30250 (a) of the Coastal Act states, in part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and

where it will not have a significant adverse effect, either individually or cumulatively, on coastal resources.

Additionally, 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 developed area in the City of Solana Beach on the south side of Lomas Santa Fe Drive, approximately one-third mile east of Highway 101. With the installation of the private road and sewer, water and electrical lines as part of this proposal, all typical urban services will be available to the project site and the surrounding infrastructure of the community will be able to accommodate the increased density of development resulting from approval of this subdivision.

The proposed subdivision will result in two lots and two houses that are comparable in size to other parcels and single-family residences in the area. The site is not visible from any scenic area and no public views will be blocked by the development. Given that no impacts to any coastal resources will result from the proposed development and that the development will be compatible with the surrounding area, the Commission finds the proposed project consistent with Sections 30250 (a) and 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 proposed development would subdivide an existing lot and construct two single-family residences. The site is designated Low Medium Residential with a maximum allowable density of 4 dwelling units per acre in the City of Solana Beach General Plan and Zoning Ordinance. The site is designated for 4.3 dwelling units per acre in the certified County of San Diego LCP, which the Commission uses for guidance in review of new development in Solana Beach. The maximum density resulting from the subject proposal will be 2.5 dwelling units per acre, 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, as conditioned, is consistent with all applicable Chapter 3 policies of the Coastal Act. No adverse impacts to any coastal resources are anticipated as a result of this 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)(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 effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the new development and visual quality policies of the Coastal Act. Mitigation measures, including a condition addressing the location of the proposed export site, 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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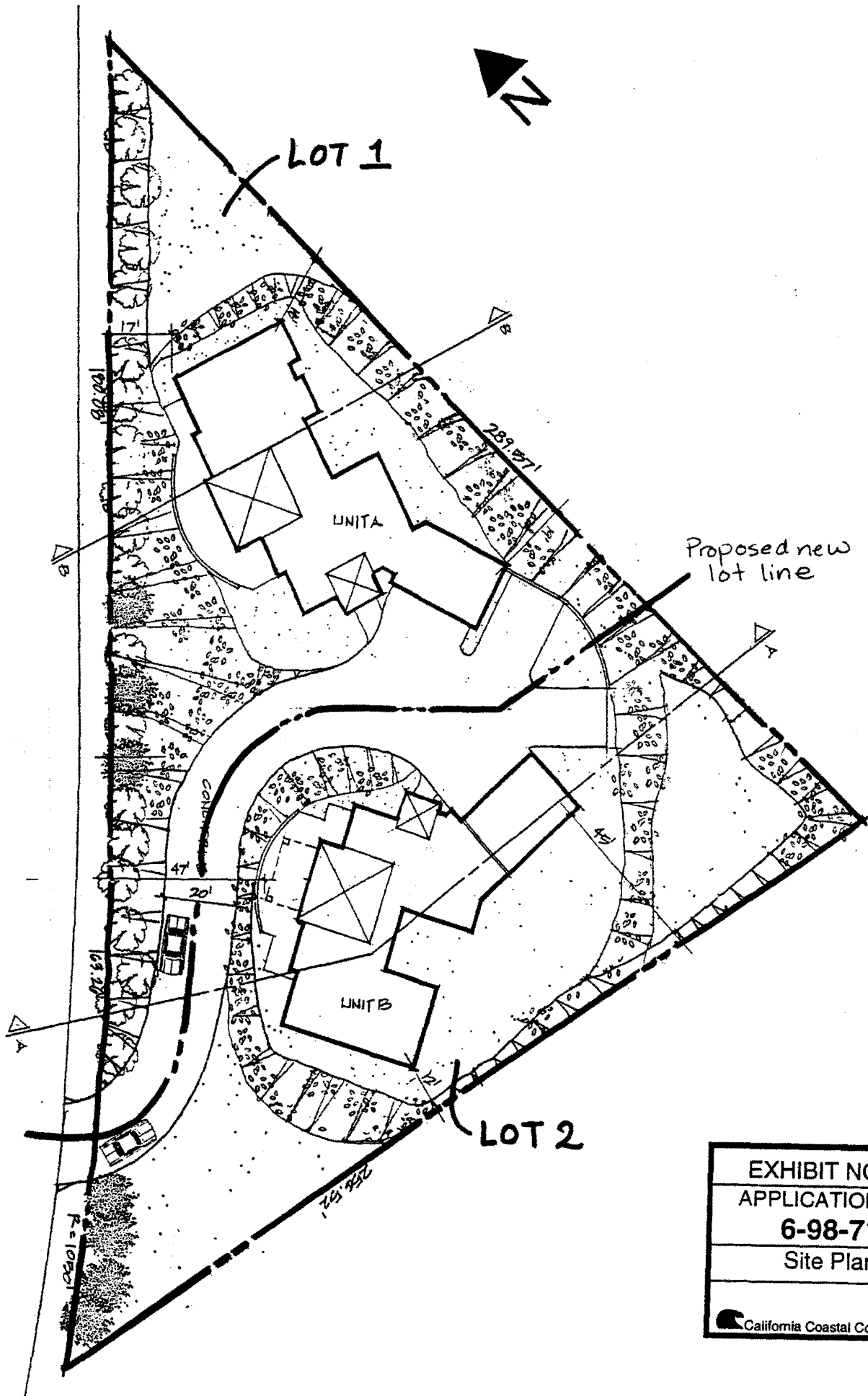


EXHIBIT NO. 2
APPLICATION NO.
6-98-71
Site Plan

CALIFORNIA COASTAL COMMISSION

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



Filed: June 10, 1998
49th Day: July 29, 1998
180th Day: December 7, 1998
Staff: EL-SD
Staff Report: July 23, 1998
Hearing Date: August 11-14, 1998

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-73

Applicant: Hilton Hotels Corporation Agent: Gerald Brewer

Description: Removal or demolition of existing metal structures used for hotel laundry services and portions of the existing perimeter chain-link fence, and construction of a permanent, one-story, 3,740 sq.ft. laundry building; the project includes installation of associated landscaping and construction of a perimeter masonry wall.

Lot Area	769,313 sq. ft. (entire leasehold)
Zoning	Unzoned
Plan Designation	Commercial Lease
Ht abv fin grade	21 feet (proposed structure only)

Site: 1775 East Mission Bay Drive, Mission Bay Park, San Diego, San Diego County.

Substantive File Documents: Certified Mission Bay Park Master Plan

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval.

The Commission hereby grants a permit for the proposed development 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. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description/Visual Resources. The applicant is proposing redevelopment of the southeastern corner of the existing hotel leasehold. This area of the developed site includes several small buildings and equipment that comprise the hotel's laundry facilities and the hotel's landscaping maintenance yard. It is surrounded by a chain-link fence and a row of trees and shrubbery both inside and outside the fence. The proposal would remove or demolish the existing structures and construct a one-story, 3,740 sq.ft. building to house the laundry functions. In addition, the applicant proposes to remove a portion of the existing perimeter chain-link fence to accommodate the development and replace it with a masonry wall enclosing both the laundry and landscape maintenance areas.

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The subject site is located along the eastern shore of Mission Bay, between the Tecolote Shores and East Shores areas consisting of public recreational beaches and grassy uplands. There are existing paved walkways both east and west of the site, adjacent to East Mission Bay Drive and along the shoreline of the bay. The existing chain-link fence and mature trees and shrubbery prevent views into or across this portion of the hotel grounds. The proposed development will replace portions of the chain-link fence with a masonry wall; otherwise there will be no change in visual resources from the public's perspective. Therefore, the Commission finds the development fully consistent with Section 30251 of the Act.

2. Public Access/Parking. Many policies of the Coastal Act address the provision, protection and enhancement of public access and public recreational opportunities, particularly for sites located between the first public road and the sea, as is the case in the subject proposal. The proposed development will occur within the existing hotel leasehold, in an area of the site not frequented by the public. The renovation of the laundry facilities will not diminish existing public access to or through the site, which currently provides the public the opportunity to walk about the hotel grounds, accessing the on-site restaurants and lounges or simply moving between the adjacent public walkways outside the leasehold. Moreover, because this is redevelopment of a housekeeping portion of the overall hotel facility, it does not change the intensity of use at the site or in any way require additional parking over what is required for the hotel complex as a whole. Therefore, the Commission finds the proposed redevelopment of the hotel's laundry facilities consistent with all public access and recreation policies of the Coastal Act.

3. 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 for the proposed development.

The proposed improvements are located within a designated commercial leasehold in the Mission Bay Park Master Plan. The site redevelopment will continue the existing site uses, which provide visitor accommodations and support facilities at a beachfront resort. Thus, the proposed improvements can be found consistent with the Master Plan designations. Although the Commission has certified a land use plan (the Mission Bay Park Master Plan) for the Mission Bay segment of the City's LCP, there are no implementing ordinances in place as yet for this area. Thus, the entire park remains an area of deferred certification, and Chapter 3 of the Coastal Act remains the standard of review. Even after an implementation package is certified, much of the park will remain under direct Commission permit jurisdiction, since many areas of the park were built on filled tidelands. The proposed development raised no concerns under Chapter 3 policies, as has been addressed in previous findings. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of San Diego to complete an implementation program for Mission Bay Park or to continue implementation of its fully-certified Local Coastal Program for the remainder of the City's coastal zone.

6. 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 effect which the activity may have on the environment.

The proposed project has been found consistent as proposed with all applicable 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.

6-98-73

Site

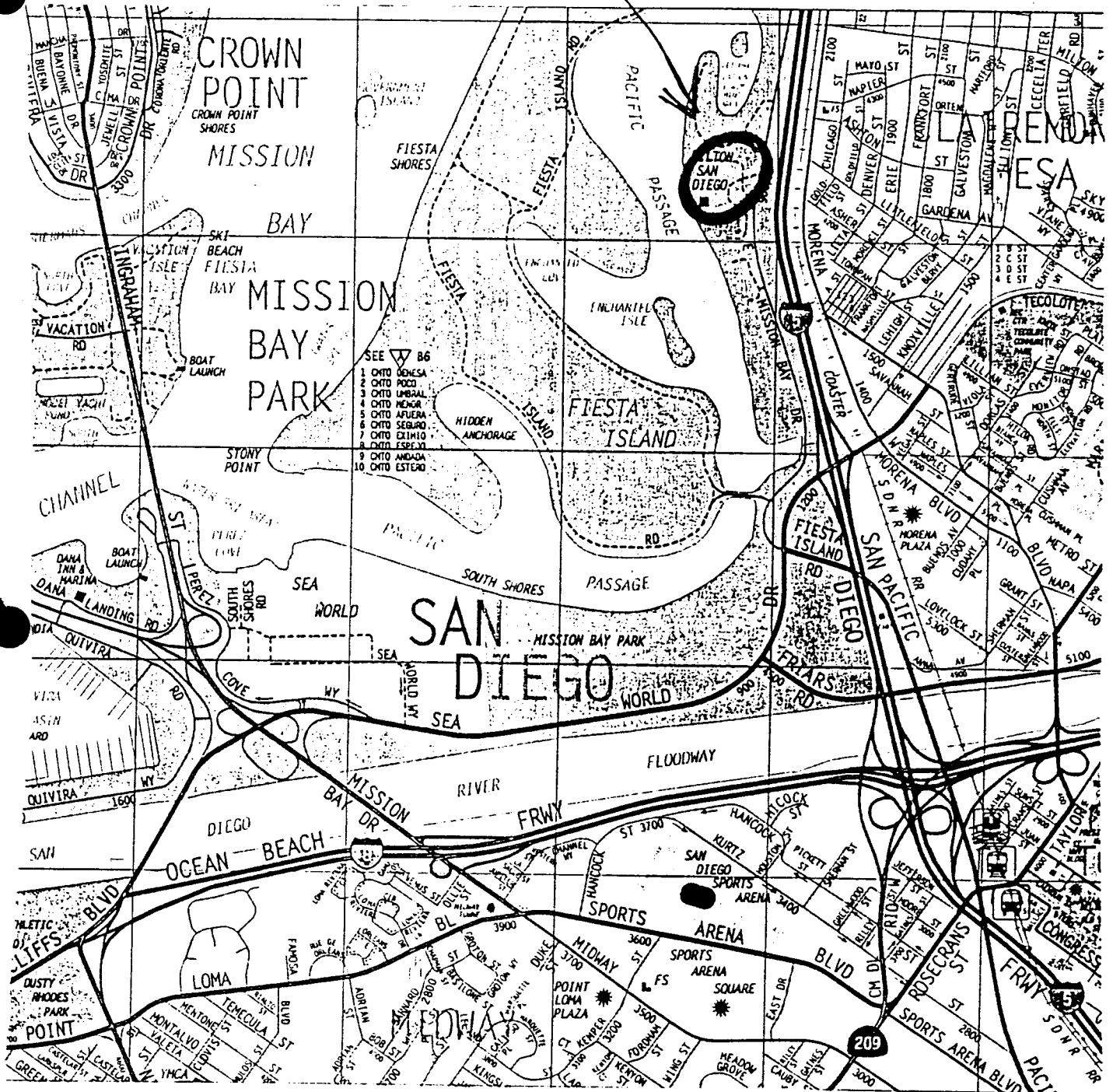


EXHIBIT NO.	1
APPLICATION NO.	6-98-73
Vicinity Map	
California Coastal Commission	

6-18-1-

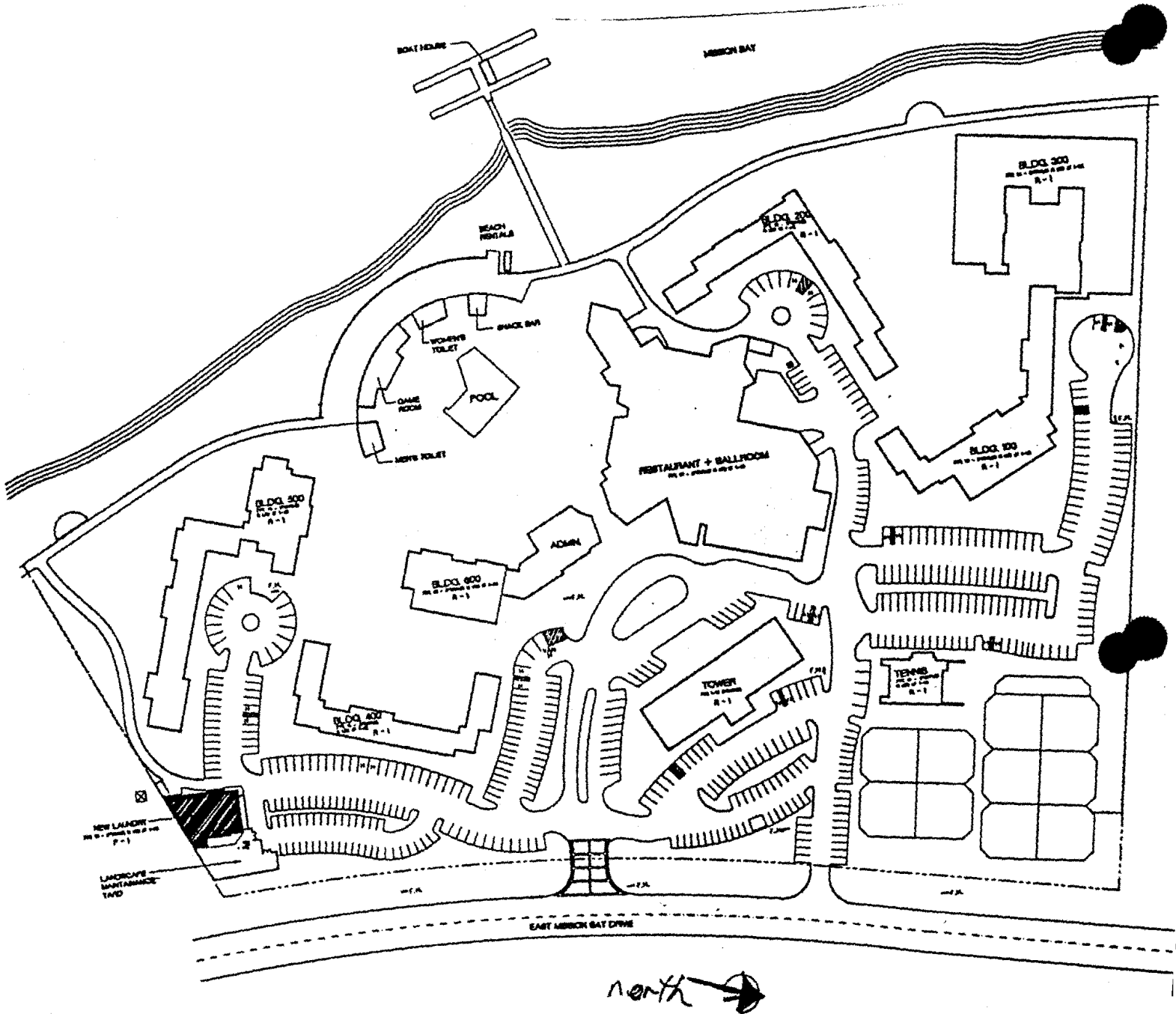


EXHIBIT NO. 2
APPLICATION NO. 6-98-73
Overall Hotel Site
California Coastal Commission

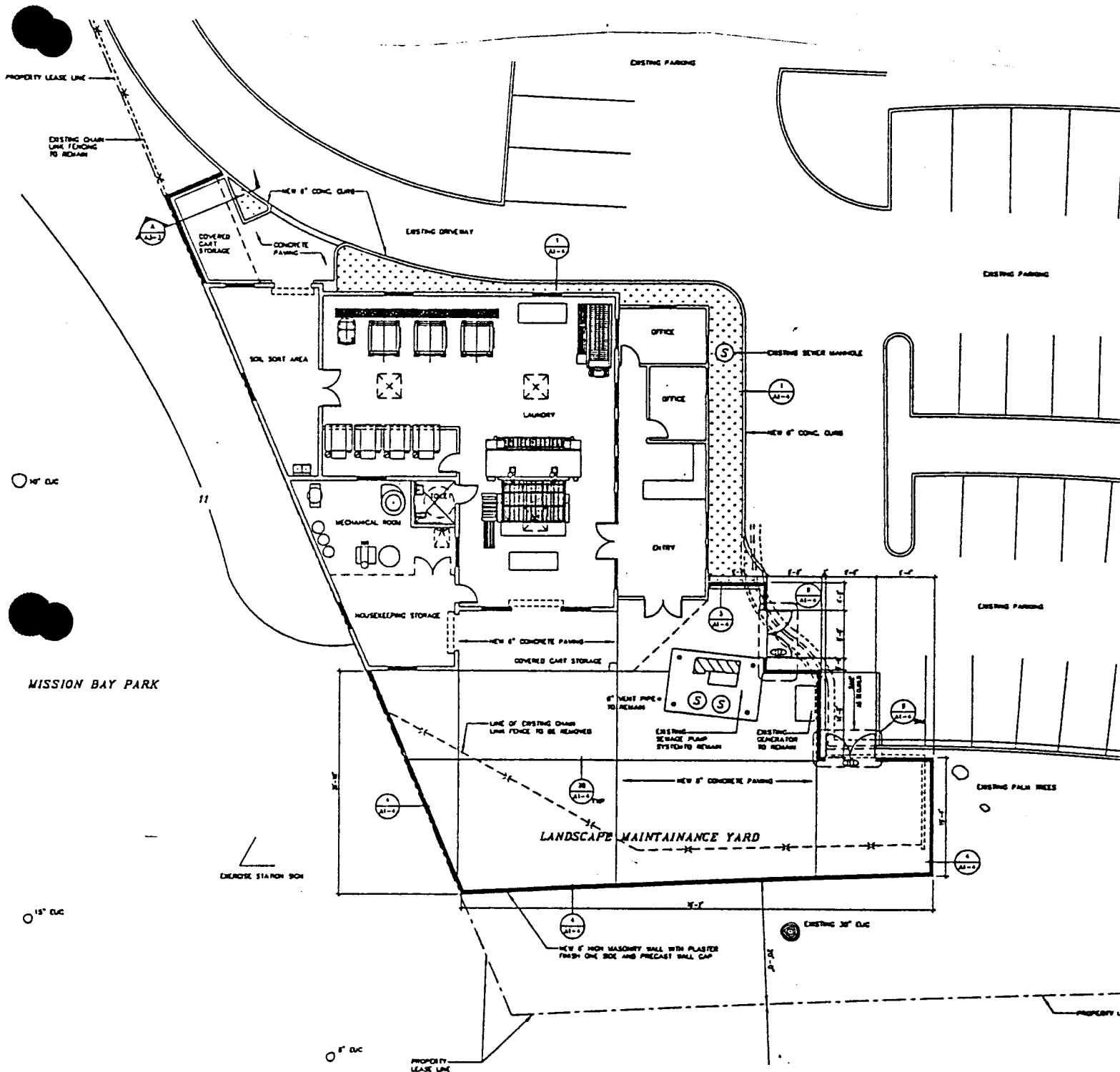


EXHIBIT NO. 3
APPLICATION NO. 6-98-73
Specific Site Plan
CCC California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

521-8036



Filed: 6/12/98
49th Day: 7/31/98
180th Day: 12/9/98
Staff: LRO-SD
Staff Report: 7/13/98
Hearing Date: 8/11-14/98

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-76

Applicant: University of California, San Diego (UCSD)

Description: Placement of three trailers (24 ft. X 40 ft.) for use as temporary model charter school at university campus.

Site: University of California, on the east side of North Torrey Pines Road, La Jolla, San Diego, San Diego Co. APN 342-010-24

Substantive File Documents: Draft UCSD Long Range Development Plan (LRDP)

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval.

The Commission hereby grants a permit for the proposed development 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. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. The proposed development involves the placement of three trailers totaling 2,880 sq.ft. for use as a temporary location of a "Model Charter School" for an 18-month time period beginning August, 1998 through September, 2000. Anticipated use is for grades 6-12 for a total of approximately 100 students. Two of the three trailers will house one classroom each and the third trailer will house administrative offices and staff. The school will then move to a permanent location on the east campus in the Fall of 2000. As noted in the university's analysis of potential on-campus sites for the school, the model charter school is intended to provide a multi-pronged approach to increase the number of underrepresented students who will be competitively eligible to enroll at UCSD or other comparable universities.

The project location is Marshall College on the UCSD campus on the east side of North Torrey Pines Road in the City of San Diego. The project involves removal of some asphalt and turf area for placement of the three trailers; however, no parking will be removed. In addition, interior remodeling to a building located adjacent to the proposed location of the three trailers, is also proposed to accommodate two classrooms. This latter improvement does not require a coastal development permit because it involves interior renovation of an existing building which is presently used for academic use and, therefore, does not represent a change or increase in the intensity of use.

2. Visual Resources. Section 30251 of the Act provides for the protection of scenic coastal areas and the compatibility of new and existing development. Although some landscaped turf area will be removed for the temporary placement of the trailers, this area will be restored to its former condition after the proposed school relocates to a permanent location in approximately two years from now. Because the trailers are temporary, no permanent or new landscaping is presently proposed. There are also other structures immediately surrounding the location of the proposed trailers which are much larger in bulk and scale and as such, the proposed trailers will be compatible with the character of the surrounding area. It should also be noted that the proposed trailers will not be visually prominent from off-campus public locations as the project site is located within the interior of the college campus and well removed from any major access routes such as La Jolla Shores Drive or North Torrey Pines Road, to the west. As such, the proposed trailers should not pose any adverse visual impacts. Therefore, the Commission finds the proposed development consistent with Section 30251 of the Act.

3. Public Access/Parking. Many Coastal Act policies address the need to maintain and enhance public access to coastal recreational facilities and the shoreline. With respect to projects on UCSD's Main Campus, which is not between the sea and the first coastal roadway, nor within walking distance of shoreline recreational areas, the primary concern is maintaining free-flowing traffic on the major coastal access routes surrounding the

campus. These include I-5, Genesee Avenue, North Torrey Pines Road and La Jolla Shores Drive. The Commission has taken the position that on-campus parking problems are not a Coastal Act issue unless they result in spill-over effects within the surrounding off-campus area. In the case of the subject proposal, as noted earlier, no existing campus parking will be displaced or removed as a result of the placement of the trailers. No student parking will be required for the new charter model school as students will be transported to the campus via two buses and one van. Faculty, staff and visitor parking associated with the new school will be accommodated in Lot 308. Displaced patrons from Lot 308 will be accommodated in Lot 305 (reference Exhibit #2 attached for parking lot locations). Based on a survey of parking space occupancy levels for the winter session of 1998, both of these two lots have excess parking which is available to serve the described needs. As such, the subject proposal can be found consistent applicable policies of the Coastal Act addressing parking and coastal access.

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. The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically the Scripps Institute of Oceanography (SIO) campus is within the La Jolla Shores segment or the City's LCP. UCSD does, however, have the option of submitting an LRDP for Commission review and certification. In this instance, the project is consistent with applicable Chapter 3 policies of the Coastal Act, which is the standard of review for the proposed development.

While UCSD has submitted a draft LRDP, its EIR and topographic maps to the Commission staff informally as an aid in analyzing development proposals, the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the future.

As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Since the proposed development has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project, will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

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)(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 effect which the activity may have on the environment.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the public access and community character policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might 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.
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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.

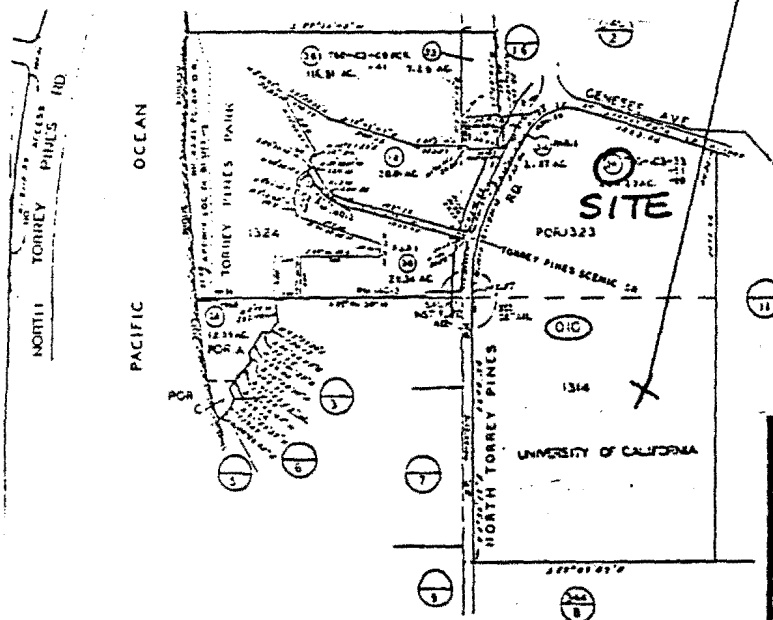
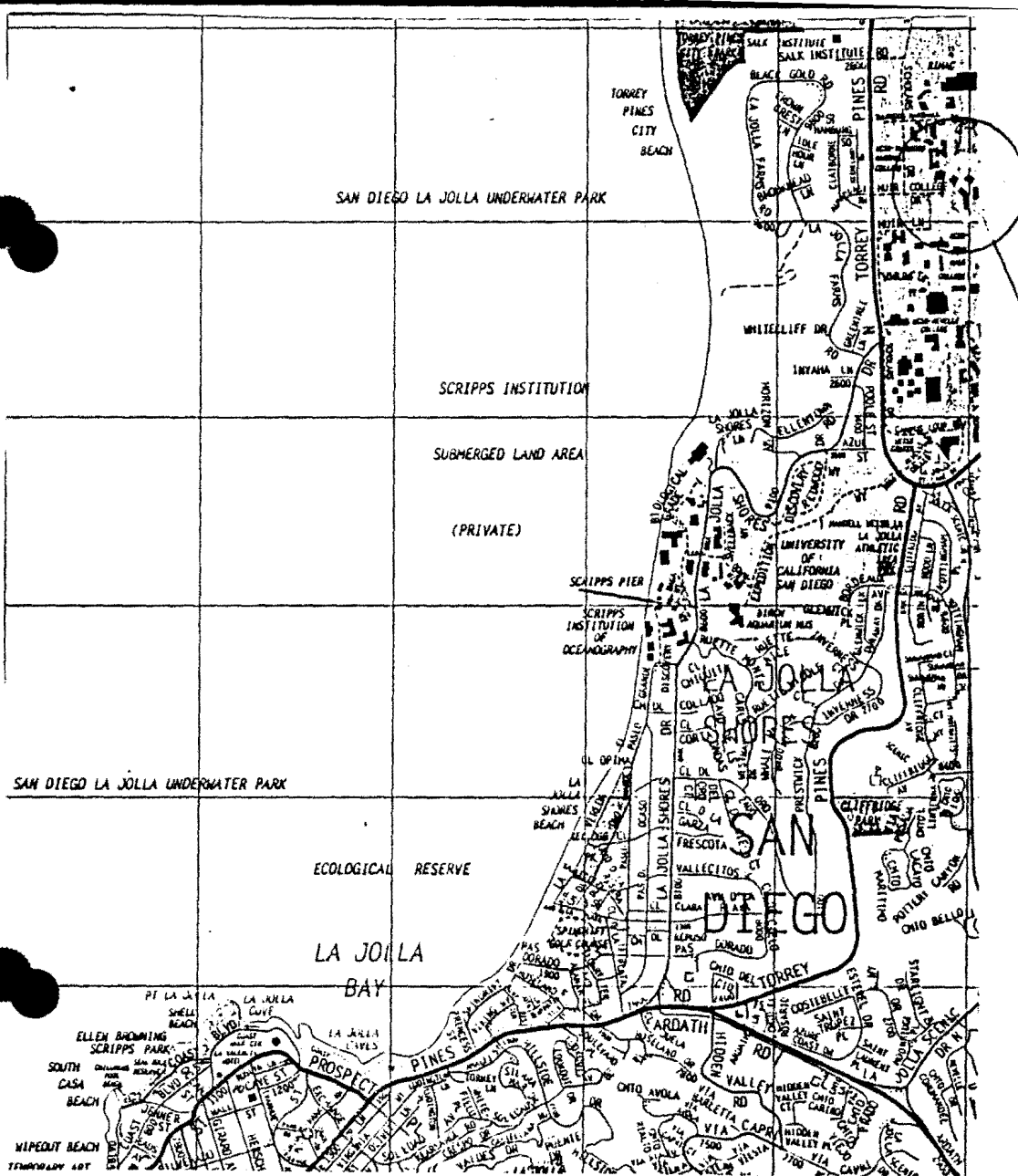


EXHIBIT NO. 1
APPLICATION NO.
6-98-76
Location Maps
California Coastal Commission

Model Charter School Temporary Facilities
Site A - La Casa

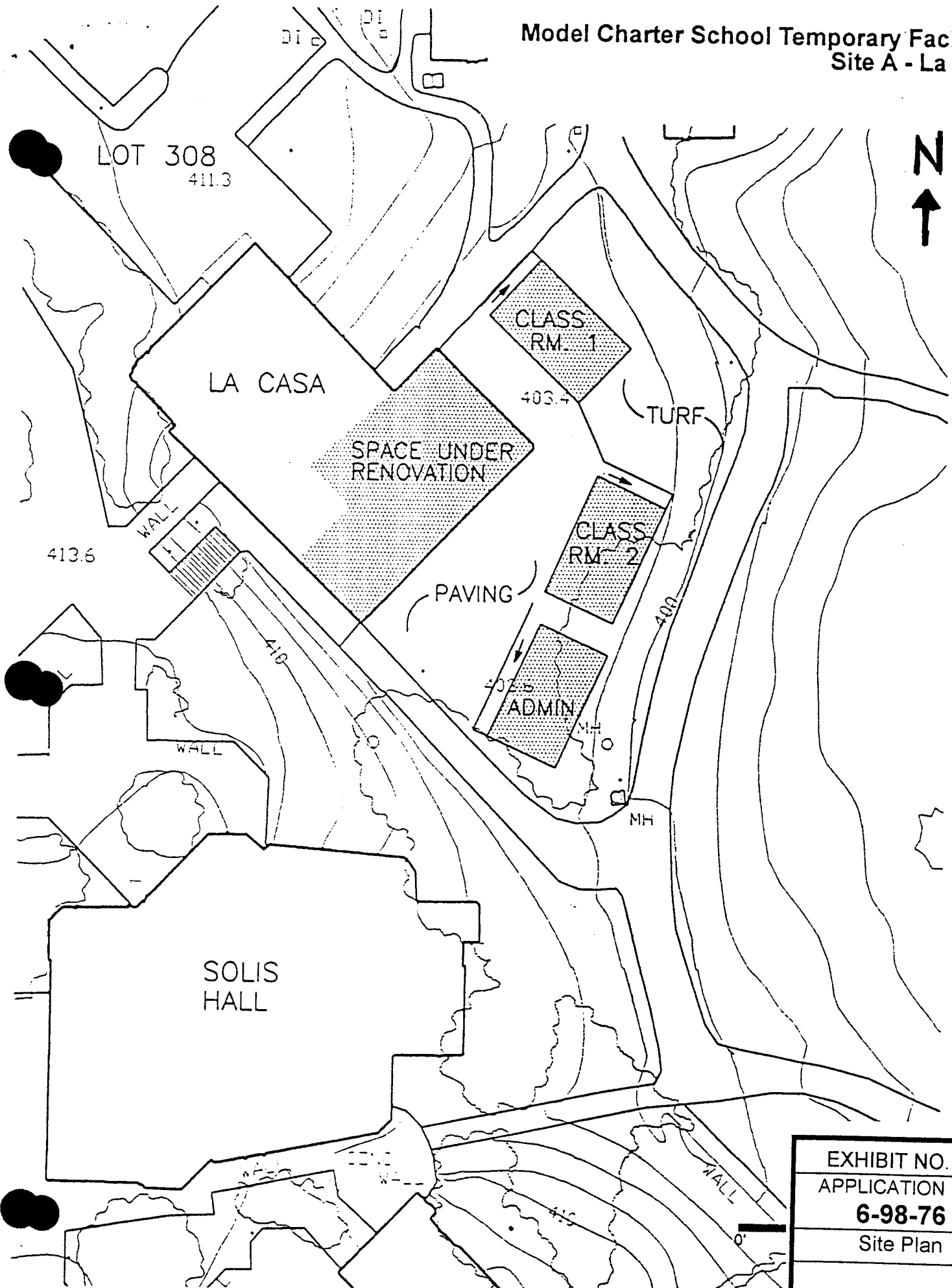


EXHIBIT NO. 3
APPLICATION NO.
6-98-76
Site Plan
California Coastal Commission